Education (1945) Department.

Ms SERIES.

G.O. No. 1295

124 114

Dated 17.5.1945

[Despatch Abstract.]

Hindu Religious Endowments - South Canara District - Gowd Saraswath Brahmin Temple Trustees' Association - Representations Orders passed.

"Woodside"
K. S. R. Road,
Mangalore
South Kanara,
26th October, 1944.

From

Sri Rao Bahadur Dr. M. Keshava Pai, O.B.E.,
The President, South Kanara Gowd Saraswath Brahmin
Temple Trustees' Association.

To

The Hon. The Adviser to His Excellency The Governor
of Madras, Education and Public Health Department

Through

51705 The President, Hindu Religious Endowments Board,
Madras.

Sir,

1 I have been desired and empowered by the South Kanara Gowd Saraswath Brahmin Temple Trustees' Association to submit the following for your kind and sympathetic consideration and necessary favourable orders.

2 The Association of the Trustees of all Gowd Saraswath Brahmin Temples situated in South Kanara has been registered under the Charitable Endowments Act XXI of 1860. Its members are the Trustees of all the Temples of the said Gowd Saraswath Brahmin community in this District. These institutions are about 450. The Association was formed about 1½ years ago - with the avowed object of cooperating generally with the - Hindu Religious Endowments Board and rendering all assistance in the efficient and proper administration of all these - temples belonging to the said community. While individuals were helping in this behalf formerly, now this Association with its corporate existence and welded into a unified single entity composed of all the trustees will be in a better - - position to render far greater assistance. The primary - object underlying the enactment of the Hindu Religious Endowment Act was to prevent mal-administration or misappropriation of temple funds and bring about wherever necessary better and more efficient administration, incidentally empowering in appropriate cases a diversion of surplus or idle funds for furthering secular interests associated with the welfare of the votaries of the concerned institutions, such as - imparting of education, religious or secular or affording medical relief in times of festivals or such like matters. The Association under whose mandate I venture to approach you has objects exactly identical or analogous to the objects which prompted the enactment of the Hindu Religious Endowment Act. While the Act has a very wide field to cover, the ambit of the Association is narrower and more compact. Consequently it is possible for the Association to work for the same - ideals with greater zeal and help in the realisation of the objects more easily and perhaps to a greater degree.

3 The Association is grateful to the Government for the timely notification of the Srimad Ananteshwar Temple of -- Manjeshwar, the administration of which was rather inefficient. The same has since then remarkedly improved by the excellent and efficient work of the Executive Officer, who works under

the guidance of the Hindu Religious Endowments Board. While the Board is wielding an efficient control in certain directions some aspects do not appear to have presented themselves to the Board in their clear perspective or from the view - point which this association begs to place before the Government for consideration.

4 The Association desires to bring to the notice of the Government that all the Temples set out in detail in enclosure 1 to this memorial belong entirely to one section i.e. the Gowd Saraswat Brahmin community of South Kanara. This - community is a very well defined unit. Historical research has revealed that the last great migration of the ancestors or the forefathers of the members of this community was from the Province of Goa in or about the 16th Century A.D. They are called "sahastikars or 64 villagers". (residents of 64 villages in Goa). They have established their own Temples in almost every locality where they settled down. These - Temples are distinct and entirely separate from the other village Temples of the concerned localities. In every place where there is a temple mentioned in enclosure 1 there is also a separate village temple to which the general Hindu public resort. The management of these temples has always ever since their inception been in the hands of this one community for now over 8 to 12 generations. In no single instance in respect of even any one of the institutions has there been a Trustee of any other community appointed or - nominated. Prior to the advent of the Hindu Religious Endowment Board there was a separate Temple committee for the Gowd Saraswat Brahmin temples whose members were Gowd Saraswat Brahmins only and who sought control on these institutions only and not over other institutions and who appointed the Trustees of this particular community to the concerned -- Temples. Wherever legal proceedings have been instituted, and there are many such instances in respect of these institutions, it has always been established and never questioned by anybody at any time that these Hindu Religious Endowments are Gowd Saraswat Brahmin temples or not. Some of these - have special features. For instance in the case of the Srimad Ananteshwar Temple referred to above, there have been several occasions on which civil courts or other tribunals have from ancient times examined and adjudicated upon the nature and administration of these trusts. Being representative suits there has been publication of these suits widely circulated in local and other papers. In the pleadings - where all material circumstances have to be alleged it has been averred and never controverted by anybody and not even questioned by the presiding officers who were well aware of local conditions that the temple at Manjeshwar is one -- belonging to the Gowd Saraswat Brahmin community and its - votaries are from 18 petas scattered all over the district. Thus a single community spread over a wide area is alone associated with the founding of, worship in and administration of this temple, while all other communities in the immediate vicinity or elsewhere have never even on a single occasion asserted that they have a right in the founding of, worship in or administration of the trust. Exactly similar considerations prevail in the case of the Sri Venkatramana Temple at Moolky. In annexure 2 Reference is given to a few of the instances of litigation pertaining to these two and some - other institutions. Relevant extracts are enclosed.

5 The Association desires to stress this aspect as there have been indications suggesting doubts about it in the mind of the Commissioners of the Hindu Religious Endowment Board. No complaints have been lodged with the Board, but suffice it to say that it would be a grave injustice to the

community to be deprived of their vested rights without any need or occasion for the same. The Association is prepared to render fullest cooperation to prevent any abuse of the rights or funds or assets of any one of the temples under consideration.

6 The question directly arose on account of the Endowment Board having once audit-objected to the expenditure incurred by the Srimad Ananteshwar Temple in connection with a visit of his Holiness the Swamier of Sri Kashimut Samsthanam to the said temple. He is one of the acknowledged spiritual heads of the community. Of the three such heads of our community the Swamiar of Kashimut Samsthanam has the largest following among the members of the community in this district. Both the Kashimut Samsthanam as well as the Gokarn Mutt Samsthanam which follow the creed of Sri Madhvacharya are very old - institutions. Instances of visits of the Swamiar of this Samsthanam have been many even in the past. It is the custom, duty and privilege of the temples to receive the Swamiar as their guest and incur all expenditure in that behalf. -- Incidentally it may be mentioned that the presence of the - Swamiar attracts votaries and brings extra income to the-- Temple. Even otherwise it is the privilege and duty of both the temples and the votaries to offer and participate in - such hospitality. Lack of respect and discharge of duty in this behalf is felt by the trustees and the votaries as a - grave dereliction of duty. It is likely that the Board - - unwittingly took a decision in ignorance of the actual circumstances regarding the rights and duties of the temple. We now hear that the Board have wisely reversed their decision. There are several other circumstances which will put matters beyond doubt that in inception, founding, development and - administration of these institutions, - the members of this particular community within the district and outside have worked single handed.

7 With particular reference to the Srimad Ananteshwar - temple of Manjeshwar one among many instances of historical evidence may be mentioned. At the time of the visit of Sri Madhvacharya in or about the 13th century the temple was - under the Gowd Saraswat Brahmins who were at that time wholly smarthas and Sri Madvacharya did not therefore enter the-- temple. It was only at a later period Sri Madhvacharya was able to convert families of this community to his Dwaita - doctrine. Even after such religious conversion there have been no instances of any of the Dravidian disciples of Sri Madhvacharya's creed worshiping in any of these temples. - Innumerable references of this nature could be mentioned.

8 The Association is coordinating the best brains of the community to assist in the efficient management of these - institutions and assures the Board and the Government that there may be no occasion for the Board to find fault with - their management. The Board has now established an office in the district head-quarters at Mangalore. May this -- Association be allowed to cooperate with the Assistant - Commissioner in all matters and at all times concerning these institutions? This Association requests that the Assistant Commissioner may consult the Association in all matters -- concerning the efficient administration of the Gowd Saraswat temples, so that the representatives of the temples ~~xxxx~~ may exercise their voice in the welfare and utility of and the enunciation of the policy pertaining to these temples. There are several matters regarding education both secular

and spiritual and the social and economic uplift of the community constituting the votaries of the temples in which this Association can offer its humble advice and cooperation.

9 The Association finally requests that they may be afforded an opportunity to make their representations to you on the occasion of your forthcoming visit to Mangalore; and that the representations contained in this memorandum and those that will be made in the course of the interview may be sympethetically examined and necessary directions in that behalf given to the Hindu Religious Endowment Board.

I have the honour to be,
Sir,
Your most obedient servant,

U Ullmantaya

President, South Kanara Gowd Saraswath
Brahmin Temple Trustees' Association.

Appendix I

LIST OF SOME OF THE [illegible] SRI [illegible] IN SOUTH [illegible] DISTRICT.

1. Sri Venkatramana Temple, Mangalore.
2. Sri Venkatramana Temple, Mulki.
3. Sri Tirumala Venkatramana Temple, Bantwal.
4. Sri Venkatramana Temple, Katapady.
5. Sri Venkatramana Temple, Hejamady.
6. Sri Veera Vittal Temple, Udyavar.
7. Sri Venkatramana Temple, Kaup.
8. Sri Venkatramana Temple, Kallianpur.
9. Sri Venkatramana Temple, Brahmavar.
10. Sri Venkatramana Temple, Kuniyal.
11. Sri Ganapathy Temple, Hidigal.
12. Sri Muralidhar Krishna Temple, Kota.
13. Sri Venkatramana Temple, Coondapoor.
14. Sri Venkatramana Temple, Gangully.
15. Sri Pattabhi Rama Temple, Koteshwar.
16. Sri Laxmi Venkatramana Temple, Koppinangady
17. Sri Mahamaya Temple, Puttur.
18. Sri Veera Vittal Temple, Kanemangalore.
19. Sri Varadaraj Venkatramana Temple, Gurupur.
20. Sri Venkatramana Temple, Belthangady.
21. Sri Gopalkrishna Temple, Kunjalkatta.
22. Sri Venkatramana Temple, Hosdrug.
23. Sri Venkatramana Temple, Kasaragod.
24. Sri Veera Vittal Temple, Kumbla.
25. Sri Laxmi Narasimha Temple, Ullal.
26. Srimad Anantheshwar Temple, Manjeshwar.
27. Sri Venkatramana Temple, Karkala.
28. Sri Venkatramana Temple, Moodabidri.
29. Sri Venkatramana Temple, Someshwar.
30. Sri Gopinath Temple, Hemmadi.
31. Sri Venkatramana Temple, Padubidri.
32. Sri Venkatramana Temple, Champe.
33. Sri Vitoba Temple, Mundkur.
34. Sri Venkatramana Temple, Udipi.

(P.T.O.)

35. Sri Vittal Temple, Gangully.

36. Sri Mahamaya Temple, Mangalore.

37. Sri Venkatramana Temple, Puttur.

38. Sri Venkatramana Temple, Bellare.

39. Sri Laxmi Narasimha Temple, Mogranad, Panemangalore.

40. Sri Venkatramana Temple, Harikandige.

41. Sri Mahamaya Temple, Kumbla.

SRI [illegible], Karkal.

Raghunathayya was the Munsiff - Venkatramana Bhatta & others Vs. Narayana Prabhu & others - In this case, the Temple is described as the Temple of the Gowd Saraswaths.

O.S.No. 68 of 1894 - Dt. Munsiff's Court, Karkal - Upendra Bhatta Vs. Rama Bhatta - The Puja Service was held to be of hereditary right of the Gowd Saraswath community Purohits.

O.S.No. 2 of 1882 - Dt. Munsiff's Court, Mulki - Timmarsa Bhatta Vs. Ganapayya Prabhu & others - The Munsiff has held that the Karkal Temple is claimed to be private temple belonging to the community to which the plts. and defts. belong.

O.S.No. 374 of 1887 - Ranga Bhatta Vs. Narayana Prabhu & others - This proceeds on the admission and assumption that it is a Gowd Saraswath Temple.

There was the Board's Endorsement No. 795 SA - 34 - 1 dated 8th March 1934 regarding the temple and a number of affidavits were sent to them to prove that hereditary Trustees were in charge of the Temple.

In an annexure to Board's add No. 14466 dated 5.7.1935 the Board declared the Karkal Temple to be an excepted temple.

Extn Deptt (F)

I

H.R.E. S. Kanara Dt. and Gowd. Saraswath Brahmin Temples Trustees Assn. Consultation with the Asst. Comm. in matters relating to the efficient administration of

From the Pl., S. Kanara Gowd Saraswath Brahmin Temple Trustees' Assn., 8/26.10.44.

Memo Reply No. No. 51704-F/44-1 Pl. 8/30.X.44.

The Dept. H.R.E. Board is requested to express their remarks on the letter read above so as to reach Govt. with the least possible delay. Urgent

Do The Pl. H.R.E. Board 30/10/44

30/10

II

Letter/Rep. No. 51704 F/44-2 Pl. 8/30.10.44

To

The Pl., S. Kanara Gowd Saraswath Brahmin Temple Trustees' Assn., Bangalore.

Sir

Subject

8

Subject:- Religious Endowments - S. Kanara Dt. Gowd Saraswathi Brahmin Temples - Consultation with H.E.H.

With reference to your letter to H.E.H's Adviser cited above, I am to say that Adviser will be pleased to meet the Association at Mangalore at a time and place to be fixed later.

Y. O.S.

30/10/[illegible]

The above 2 drafts are submitted with reference to Adviser's minute at the top of p. 1/C.

Returned PT HRE Bd on 3/11/[illegible]

30/10/[illegible]

Office of the Board of Commissioners
for Hindu Religious Endowments,
Cathedral Post, Madras.

59492-Adm-44-1

Letter No. [illegible] dated 3-11-1944.

From
Diwan Bahadur Sri T.M.
Narayanaswami Pillai, M.A., B.L.,
President, Hindu Religious Endowments Board, Madras.

To
The Secretary to the Government of
Madras, Education and Public Health
Department, Fort Saint George,
Madras.

3-NOV 1944

Sir,

Subject: Hindu Religious Endowments - South Kanara District - Gowd Saraswat Brahmin Temples - Consultation with the Assistant Commissioner in matters relating to the efficient administration of.

52598

Reference: Government Memo No.51704/F-44 P.H. dated 30th October, 1944.

In retransmitting herewith the memorial of the President, South Kanara Gowd Saraswat Brahmin Temple Trustees' Association dated 26-10-44, I have the honour to submit the following report:-

2. It is represented by the President of the said Association (1) that the trustees of all the Gowd Saraswat Brahmin Temples (vide list in Appendix to the memorial) situated in South Kanara have formed, about 1½ years ago, an Association registered under the Charitable Endowments Act XXI of 1860 with the object of co-operating generally with the Hindu Religious Endowments Board and rendering all assistance in the efficient and proper administration of these temples; (2) that the temple of Srimad Ananteswar at Manjeshwar has, since its notification, been remarkably improved by the excelle work of the Executive Officer working under the guidance of the Board; (3) that some aspects do not appear to have presented themselves to the Board in their clear perspective or from the view points which the Association would beg to place before the Government for consideration; (4) that there have been indications suggesting doubts in the minds of the Commissioners of the Board that these temples belong entirely to one Section i.e., the Gowd Saraswat Brahmin Community of South Kanara, (5) that their management has always been in the hands of this one community for over 8 to 12 generations without dispute or assertion of right over these by anybody; and (6) that it would be a grave injustice to the community to be deprived of their vested rights without any need or occasion.

3. The President of the Association requests in conclusion that the Association may be allowed to co-operate with the Assistant Commissioner for Hindu Religious Endowments newly established in the District in all matters and at all times concerning these temples and that the Assistant Commissione may consult the Association in all matters concerning the efficient administration of these temples, so that the representatives of these temples may exercise their voice in the welfare and utility of, and the enunciation of the policy pertaining to, these temples.

4. The formation of the Association has been intimated to the Board and a printed copy of the memorandum of association and rules of this Association has been sent to the Board by the President of the Association and the Association requests that the Executive Officer of Srimad Ananteshwar temple at Manjeshwar should be allowed to join the Association. A copy of the said memorandum and rules is enclosed. (Enclosure I)

5. The question is whether such permission should be accorded to the Executive Officer to be a member of the Association in his capacity as Executive Officer. Now, under Rule 3 of the Rules of the Association, the temple is to be represented on the council of management by its Executive Officer. While the Board welcomes the co-operation of the Association in the management of temples in the area, there are some difficulties in permitting the Executive Officer to become a member of the Association. In the first place, if this is permitted, it would be tantamount to finding that this temple is one built and endowed exclusively for the benefit of a section of the Hindu public, namely, the Gowd Saraswat Brahmin community. It is doubtful whether this position could be accepted in the face of the records with the Board; it appears that to try to get the Executive Offi to become a member of the Association is only an indirect attempt to have

the temple exclusively for the benefit of one community; it may be the thin end of the wedge. Secondly, under rule 5 of the rules, such of the temples as pay contributions to the Board under Madras Act II of 1927, shall pay annually to the Association a sum not less than 1/3 of such contribution in the case of non-excepted temples and 2/3 in the case of Excepted temples; the other temples, not assessed by the Board to pay contribution, shall pay to the Association 1 per cent of their total gross income. And object(6) of the memorandum of association is to enlist the financial co-operation of the temples for the social and economic uplift of the Gowd Saraswat Brahmin Community. The Association, in other words, wants to be another 'Board' for the area with powers to levy annually contribution on the 41 temples. Now, these annual or periodical recurring items of temple expenditure would appear to amount to a diversion of the surplus funds of the temples within the meaning of Section 67 of Madras Act II of 1927; Section 67 requires an enquiry by the Full Board; if the Executive Officer becomes a member of the Association, he will be bound by the objects and rules of the Association, and he will have no option but to comply with the demands whether the Full Board sanctions it or not and whether the temple has a surplus or not and whether or not such diversion is for the objects contemplated under that Section. This would render Section 67 of the Act a dead letter so far as these temples are concerned. This does not mean that the Board is against measures of social amelioration whenever such things can be done. It is open to the association to submit any proposal to the Board through the Executive Officer and the Board will discharge its obligations under the Act.

6. Further, Rule 8 of the rules limits the term of members of the Council of Management of the Association to 5 years and rule 12 entails forfeiture of membership for failure of a member to attend three consequtive meetings of the Council. These may create an awkward situation for the Board. If the term of the Executive Officer as Executive Officer happens to expire before the expiry of his term of five years as member of the Council under rule 8, is the Board to continue the Executive Officer as Executive Officer of the temple ? And if the Executive Officer forfeits his membership under rule 12, is the Board to dismiss him and appoint another at the request of the Council ? These are some of the difficulties which confront the Board in complying with the request of the President of the Association to permit the Executive Officer to become a member of the Association and to comply with its rules. But the Board will always be glad and willing to give due respect and consideration to the wishes of the community when voiced through an organised association; there is no difficulty in doing this.

7. In this connection it is not clear what the President of the Association means when he says that some aspects do not appear to have presented themselves to the Board in their clear perspective or from the view points which the Association desires to place before Government for consideration. perhaps he refers to what has been stated in the previous paragraph. If the view points of the Association are communicated to the Board clearly in detail, the Board will be glad to give full consideration to the same.

8. It is not possible for the Board to straightaway agree that all the 41 temples in question belong exclusively to the Gowd Saraswat Community. This is a matter to be decided on the facts and merits of each case as they arise for consideration under the Act. The records of the litigation of the years 1882 to 1894 referred to in Appendix II of the memorial are not available with the Board; but it may be stated however, that the alleged admissions or descriptions therein that the temples concerned belong to the Gowd Saraswat Community may not avail unless there was a dispute and an issue was specifically raised and decided.

9. Before the Hindu Religious Endowments Act (Madras Act I of 1925) came into force there were a number of temple committees in South Kanara. The organisation of these committees would appear to have been on a communal basis and even this does not seem to have been uniform; and more than one committee had often jurisdiction over one and the same temple. Any reliable or authoritative list of these committees is not available. There were also Gowd Saraswat and Konkani Committees. From a copy of the list of such committees with the Board it would appear that some of the temples mentioned in the list attached as Appendix I to the memorial

have never been under the Gowd Saraswat Committee. Among the temples in the list, the name of the temple is Srimadananteswar temple in Kasaragode taluk. And regarding this the information that is available goes to show that it could not belong to the Gowd Saraswat Community alone. In the list referred to is found to be under the Shivalli Committee. The name given is Sri Madananteswar Dev and it appears that the same temple is now called Srimad Ananteshwar. In the sthalapurana now sent by the Executive Officer, the deity is called Madanan teswarar.

10. Now Srimad Ananteshwar temple is an ancient temple which appears to have existed even before the migration of the Gowd Saraswat Community to South Kanara with endowments granted to it by several ruling chiefs; it might have been renovated later on and might have come under the management of the community. The temple by its very name would indicate a dedication to Sri Siva while almost all the rest of the temples included in the list annexed to the memorial would indicate a dedication to Sri Vishnu. Whatever it is, after Madras Act II of 1927 came inforce, under which the scheme was for territorial temple committees rather than communal committees, two circle Temple Committees were constituted by Government in the first instance in the District and these were replaced later by a single District Temple Committee having jurisdiction over all the non-excepted temples in the District except certain temples partly or solely under Jain management. The Gowd Saraswat Community did not raise any objections then to the abolition of the old communal committees and the constitution of territorial temple committees under the Act (vide this office letter No.Mis.301/26 dated 14-8-26 closed by G.O.No.4986 L & M dated 16-12-192

11. Regarding the expenditure on the Swamiar, it had not been provided for by the Executive Officer in the temple budget and he asked for sanction fo this as an extra-ordinary item of expenditure. The Board desired to have addi tional information as to the particulars of the usage of the temple in this regard and as to why the expenditure was not provided for in the budget if sanctioned by usage; and it was stated that if the expenditure was objected to in audit, it would have to be made good. After the auditor reported that the expenditure was sanctioned by usage, it was passed by the Board. The Board has certainly no ideas of doing any injustice to any community or to deprive any community of any of its proved vested rights; but the Board canno

/P.T.O/

cannot be found fault with if it insists on proof of rights or usages alleged.

12. The Board has no objection to allow the Association to co-operate with the Assistant Commissioner for Hindu Religious Endowments newly appointe for the District in matters concerning these temples, or for the Assistant Commissioner consulting the Association in such matters whenever necessary.

13. In conclusion therefore, I have the honour to state that the Board and the Assistant Commissioner for Hindu Religious Endowments, South Kanara District would always be glad and willing to avail themselves and give due weight and respect to the views of the Association whenever they are placed before them or as and when deemed necessary. Now this will and must satisfy all legitimate requirements. To go further than that would imply that all the temples and in particular this temple of Srimad Ananteshwar are exclusively for the benefit of the Gowd Saraswats and that their funds should be spent exclusively for their benefit; it would also lead in practice to the association being recognised the sole authority and to the abdication of the Board of its statutory duties. The Executive Officer may be placed in embarassing position. The Association, though the Rules do not say so, may be used for political purposes. The Board does not admit that the Manjeshwar temple is exclusively a Gowd Saraswat temple; While it is willing to co-operate with and consider the suggestions of all communal associations like the Gowd Saraswat Brahman Association, the Board must be allowed to do its duties under the Act and is not willing to place its Executive Officer in embarassing position.

I have the honour to be,
Sir,
Your most obedient servant,

T. R. Narayana Rao

President.

Enc: 2. (1. One original memorial with 2 enclosures.
2. Printed copy of the memorandum of Association and rules of the Gowd Saraswat Brahmin Association)

VG.3.11.44.

Fort St. George,
Madras,
4th November 1944.

Sir,

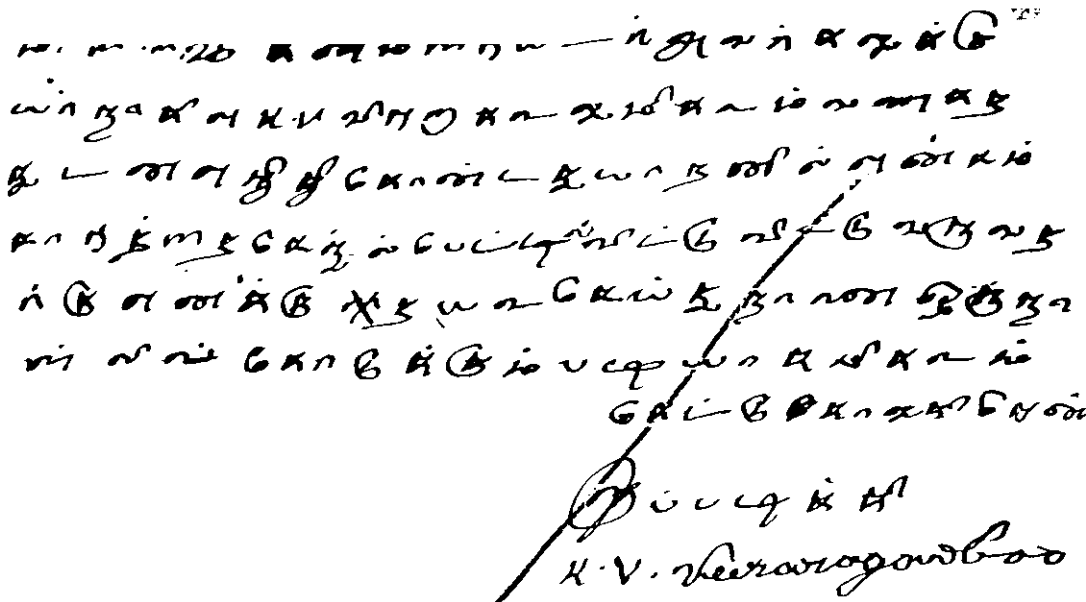
Subj: Religious Endowments - South Kanara District - Gowd Saraswath Brahmin Temples - Your letter dated 26-10-1944.asking for interview.

I am directed by Mr. T. Austin, C.I.E., I.C.S., Adviser to H.E. the Governor of Madras to inform you that he will be glad to discuss the matters mentioned in your letter read above at 10 A.M. on Friday the 10th November 1944 at the residence of Mr. W.B. Jackson, Manager, Peirce Leslie & Co. Ltd., Mangalore.

(By order)

Personal Clerk to the
Second Adviser to H.E. the Governor.

Sri Rao Bahadur
Dr. M. Keshava Pai, O.B.E.,
President, S. Kanara Gowd Saraswath Brahmin
Temple Trustees' Association, 'Woodside',
K.S.R. Road, Mangalore.



K.V. Viraraghavalu

For Adviser 4

Chobdar K.V. Viraraghavalu requests that he may be granted casual leave for one day (16-4-42) to take his family to Chingleput. The leave applied for may be granted.

15.4.42.

P.C.

Enclosure VIII 23

THE SOUTH KANARA GOWD SARASWATH BRAHMAN TEMPLES TRUSTEES' ASSOCIATION.

M E M O R A N D U M .

5-10-42/44-3PE

As indicated in the communication already addressed to the Adviser, in this district there is a class of Temples well known as Gowd Saraswath Brahman Temples. Founding of these and the building up of these institutions has been done almost exclusively by the members of the community. Taking all things into consideration, one can boldly assert that they are communal Temples belonging to this particular community. The entire community spread over the district are votaries that worship in the Temples and make offerings and make contributions. This is revealed with clearest distinction and perspective with regard to the bigger Temples like Manjeshwar, Mulki and Mangalore. On the occasion of the annual ceremony at Manjeshwar, thousands of Gowd Saraswath Brahmans from Ullal, Mangalore, and other adjoining village around Mangalore and to some extent from even more remote places in the district make a pilgrimage to Manjeshwar. The Railway authorities find it necessary to cope with this traffic to run a special train or add extra carriages. Likewise for the annual festival at Mulki, busses, cars and other conveyances are specially plied for carrying the votaries of Gowd Saraswath Brahman community from Mangalore, Bantwal and other places. That is why on all appropriate occasions, it has been asserted without contradiction by any body that these Temples are Gowd Saraswath Brahman Temples. From this it is clear that though geographically Srimad Anantheshwar Temple at Manjeshwar its votaries are gathered from 18 petahs (borne out by Court records) and its jurisdiction is wider, and the beneficial objects of the institution and its funds should embrace the votaries all over the district. Such a course of conduct will even from the secular point of the Temple be useful and helpful to the Temple when compared with the position that might arise from delimiting the ambit to the Manjeshwar Petah only. Therefore the entire Gowd Saraswath Brahman community only should be allowed

(P.T.O.)

to manage the institution in the best manner possible, safe-gaurding all interests. Thus whenever occasion arises for appointment of Managers, Executive Officers or like the choice should always be from among members of the community. The community can easily yield and supply sufficient qualified and absolutely competent men at all times. Their presence in the office of the institution will be most conducive to the welfare of the institution and the interests of the trust and its votaries. Presence of officers belonging to other communities having particular regard to the nature of the communal Temples is likely to have non-beneficial, if not harmful effect. Apart from wounding the susceptibilities of the orthodox section of the people, the income ~~of the income~~ of the Temple is likely to suffer. For this loss there is no need at all. The community has supplied officers in all walks of life who have acquitted themselves most creditably. In this conncetion, reference is to be made to the policy of the H.R.E. Board. The first President of the Board Sir T.Sadashiva Iyer, clearly defined the policy in a circular letter addressed to all the Temples empowering the Trustees to utilise the surplus funds for spread of education, rendering medical aid and like beneficial measures to the votaries of the Temples. The recent tendency in the policy of the Board, indicates a departure. All usages observed by the institutions in its long career were respected. ~~All~~ From the expenditure incurred by Temples, as contained in the accounts maintained for now over a century, it will be seen that the visits of the spiritual heads of the community was a much coveted honour and all the expenses of the esteemed guest were met by the Temple. Now the Board seems to object to the incurring of the expenditure of a paltry amount on the occasions of the visit of His Holiness of the Sri Kashi Mutt.

2. The Board, has without any justification refused the present Trustee Executive Officer to become a member of the District Association of the Trustees of the Temples. There

There is no solid reason behind such refusal. Expenses are insignificant. The Temple derives immense benefit and the solid support that the entire Association can give and all sister Temples can afford in the matter of co-operation and co-ordination of services of the members of the community on the occasion of the festivals and similar important matters. There are other instances which would show that the present policy of the Board is a retrograde one. Refusal of honouring the social, religious and secular rights of the votaries on the occasion of the visits of Mathadhipathies who have a valid legal right of their own to visit these Temples may involve the concerned institution in needless litigation, expenditure and sufferings.

3 There are several other allied aspects which cannot be compressed in the short space of a few minutes. For the efficient maintenance of these Temples, and the ceremonies to be carried on and observances adhered to by votaries, the establishment of a Vedanta Patashala is an essential measure. The Mathadhipathies to guide the disciples, the priests to officiate in the Temples and outside, to administer to the spiritual needs of the members of the community have to be trained and educated in the particular kind of rituals observed by the community. There are not enough number of Patashalas generally for Hindus. There is none for this Gowd Saraswath Brahman community. It cannot conveniently be run by a single Temple. All Temples should be permitted to found and run a Vedanta Patashala. The Board may be directed not to object to such a course. The members of this community generally are not rich Wargdars. There is a large section of the members of the community who are very poor. There are plenty of destitutes and orphans. Temples have been affording reliefs to the barest minimum, by granting petty Scholarships to deserving but poor students and sanctioning small amounts for performance of essential samskars like Upanayanam etc., This has been the custom immemorial. Even after the

(P.T.O.)

the
advent of the Hindu Religious Endowments Board, these expenses have been incurred without any objection. But just now, the Board has thought it fit to refuse permission to the Manjeshwar Temple to act as before in accordance with its usage in this behalf. The Association is willing to co-operate on all important and beneficial matters in the administration of these Temples and begs to place its services at the disposal of the Government. It is even prepared to take over the administration of the Manjeshwar Temple from the Board.

PRESIDENT.

E & HR Department

18

Do. No 51704 F/44-3 RH dt 14.11.44

Dear Rao Bahadur

Subject: H.R.E., S. Kanara Dt. Gowd Saraswath Brahmin Temples - Representation from the Trustees Assn.

Ref: His late President's letter No: 59492-Adm.44-1 dt 3.11.44

I am to enclose a copy of the memorandum presented by the above Association to H.E.'s Adviser, at Mangalore, and to state that H.E.'s Adviser desires you to go to Mangalore as soon as this is convenient, discuss this matter fully with Sri Rao Bahadur Dr. R. Keshava Pai, the Pt. of the Assn. and forward a report in this matter.

Yours sincerely

Secretary

Rao Bahadur
M. Chinnayyahillai
MABL, Pt. HRE Bd
(with enclosure
by hand)
18/f

Dft
13.11.44
Jt
13.11.44

II

Letter Ref. No: 51704 F/44-4 RH dt 14.11.44.

Sir,

Subject: H.R.E. S. Kanara Dt. Gowd Saraswath Brahmin Temples Management.

~~In connection with the deputation of the members~~ With reference to HE's Secy Adviser's interview with the members of the Gowd Saraswath Brahmin Temples Trustees' Assn., ~~invited on H.E.'s Adviser~~ at Mangalore on the 10th instant, I am directed to state that this matter is engaging the attention of Govt. and that a reply will be sent in due course.

Y. O. S.

Secretary

Rao Bahadur
R. Keshava Pai,
Pt., S. Kanara Gowd
Saraswath Brahmin
Temples Trustees' Assn
Mangalore.

13/11/44
Jt
13.11.44

Madras, 13th November 1941.

SECRETARY, EDN. AND P. H. DEPTT. 14 NOV 1941 GOVERNMENT OF MADRAS

To

The Secretary to Government,
Education Department,
MADRAS.

EDUCATION AND PUBLIC HEALTH DEPT. 15 NOV 1941

Sir,

Re: Dismissal from service -- Sri V.R. Janakirama Ayyar, formerly Clerk in the Office of the Director of Public Instruction, Madras.

45828 At the interview granted to the appellant and his Advocate Sri A.V. Rangachari by the Honourable The Adviser in charge of Education on 8--4--1941 the appellant and his Advocate presented to him as follows:

1. That in the appeal order in G.O.No. 935-Education dated 25-4-1939 no decision has been accorded in regard to the suppression of the documents urged in paras 49 to 58 of the appeal dated 15-8-1938 and therefore the appeal order is not a legal one with reference to Sec. 367 of the Criminal Procedure Code.

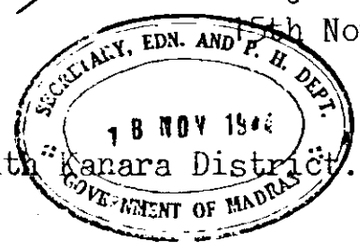
2. That under Sec. 476 of the Criminal Procedure Code regarding offences relating to documents committed in the course of a judicial proceeding it is stated that a preliminary enquiry should be held and a finding recorded and if the finding is against the accused he should be given an opportunity to defend himself and thereafter the

F

Manjeshwar,
15th November 1944.

From

M. Anantha Bhakta,
Landlord,
MANJESHWAR, South Kanara District.



To

T. Austin, Esqr., I.C.S., Bar-at-Law, C.I.E., 54974
Adviser, H.E. the Governor of Madras,
Madras.

Dear Sir,

It is really very unfortunate that the so-called deputationists on behalf of the South Kanara Gowd Saraswat Brahmin Temple Trustees' Association washed some dirty linen before you during your recent visit to our side.

I think and believe that we all must first of all join together to win the present war which is causing much agony to all. We can easily postpone such things as Agama Kathasalas and Temples for the post-war period. I am really surprised to find the deputationists gloating over such petty matters now. I failed to find a single reference to the present war in their Memorandum to you and they have also failed to tell you the work they propose to do, to help the Government in their War Effort.

Mr. Rutherford, former Adviser was able to diagnose this trouble long ago in 1941 when he visited this side. He was forced to appeal my community, i.e., the Gowd Saraswaths - in particular to come forward and help the Government in their war efforts. He was under the impression that Gowd Saraswaths were not doing anything in this direction and he was telling me that communal strife has spoiled the war effort in this district to a great extent. I pointed out to him that the failure of war effort in this district was to some extent due to the lack of proper propaganda and lack of co-operation from the Government Officers also. A new District Collector was posted to this side and Mr. Rutherford requested me to co-operate and work with him to improve the war effort. A District which could not contribute fifty thousand rupees in two years was able to contribute rupees four and a half lakhs within a very short period of three months under the new Collector. And I am very glad to tell you that I was able to prove to Mr. Rutherford my point of view practically to some extent. But the communalists remained as they were and they did not do anything to improve War effort.

Unfortunately, the temples of my community - Gowd Saraswath - have been made into places of sin and vice. The persons who are in charge of them are after money and power. They are blind to the present difficult situation and are after communal strife only. The so-called deputationists represent nobody except themselves. They have not consulted anybody and no one has elected them or asked them to lead any deputation. They have already made a very bad impression in the mind of the public, by leading a deputation without consulting anybody. Nobody knows anything about the representation they have made in this connection. They are sure to create a controversy in this connection and I am afraid people of this District will waste much of their time, energy and money unnecessarily in this matter. It is sure to have a very bad effect on the war effort also.

British Government has scrupulously avoided interference in our religious matters till now. And this policy has helped them a good deal in this War. I think the Government will be ill-advised to interfere in our religious affairs, now, when a war is still going on and when they require the support of all the people to win it. Any drastic changes in the administration of the temples in this district either to please the deputationists or to oblige them is sure to have a very bad effect on the war effort - from this side. Only a popular minister, who knows everything about these temples will be able to tackle this question in due course. I think the Government will do well to shelve the whole question for the duration of the War.

In the interest of War Effort, I request you to kindly shelve this matter for the duration of the present war and implore you not to take any hasty action without consulting the Gowd Saraswath Community in general. I would like to get an assurance from you to this effect.

I hope to get a reply from you.

E & P. H

Thanking you,

Yours faithfully,

M. Ananthan Bhakta

Thank him for his letter & say that no hasty action will be taken. Suggest that he meet the Chief Minister when he visits S. Kanara shortly.

8/18/11/44 replied. O/C attached

O.M./A

15/11/44 Mem & his letter dtd 14/11/44 to Pl. HRE, B.J.V.

Fort St. George,
Madras,
18th November 1944.

Dear Mr. Anantha Bhakta,

Thanks for your letter of the 15th of November. No hasty action will be taken on the representations made by the Gowd Saraswat Brahmin Temple Trustees' Association. You will do well to meet Mr. T.M. Chinnaiya Pillai, President, Hindu Religious Endowments Board who will be in S. Kanara shortly.

Yours sincerely,

O/C.

Anantha Bhakta,
Landlord, Manjeshwar,
S. Kanara.

18/11/44

22 Estt Deptt (F)

Do. No. 5170[illegible]/44-5 Estt. Dt. 21.11.44

Dear Rao Bahadur

Subject: H.R.E. - S. Kanara Dt. Edward Saraswat Brahman Temples. Representation from the Trustees' Assn.

In continuation of my Do. No. 5170[illegible]/44-5 Estt. Dt. 14.11.44 on the above subject, I am desired to enclose copies of a letter from Sri K. Ananthia Bhakta to the Adviser Dt. 15.11.44 and the Adviser's reply thereto Dt. 18.11.44.

Yours sincerely

21/11/44

To

Rao Bahadur
M. Chinnaya Pillai
C.I.E., M.L.C.
Board.

(with enclosures)

C FPH Dept

Dublin

Bdle of

Dear Mr Anderson,

Govt Press. Permission to hold decisive Examination in the Office hours on a day in the National Library

Portugal

Ref Your D. 21/10/11 of 8.11.00

I am desired to say that the Govt have no objection to the proposed holding of the examination referred to in your Despatch above mentioned in the Office hours on a day in the National Library Portugal.

No. 21/10/11 of 31.11.00

To
A. G. Anderson Esq
S. G. P.

FPH Dept

23

Office of the Board of Commissioners
for Hindu Religious Endowments,
Cathedral Post, Madras.
Dated 21st November, 1944.

D.O.

55387

Dear Mr. Coorey,

Ref. Your D.O. No.51704-F/44.3 P.H. dated 14th November, 1944. — I on p18 ante

22 NOV 1944

I propose to camp at Mangalore on or about 11th or 12th of December, 1944 and I have also requested the Divisional Commissioner, Sri A.S. Mannadi Nair to accompany me during this camp. I will previously intimate Dr. M. Keshava Pai, the President of the Association about our visit to Mangalore and request him to meet us for a discussion on the points raised in the memorandum presented by him to His Excellency's Adviser at Mangalore and send a report before the end of December, 1944.

Yours sincerely,

C.O. Coorey, Esq., I.C.S.,
Deputy Secretary to Government,
Education & Public Health Department,
Fort St. George,
Madras.

E&PH(F)

The P&S reports may be awaited till 2.1.45.

mm 22/11/44

23/11/44

24 Do No. 51704 F/66-6 Dt. 28.1.66

Dear Rao Bahadur.

Subject: HRE S. Kanara Dt. Gowd Saraswathi Brahman temples - Representation from the Trustees' Association :

Ref: your Do. of 21.11.66

I am to enquire when your report may be expected to reach Govt.

Yours sincerely

S/ver

To Sri
Rao Bahadur
M. Chinnayya Pillai,
B.A.B.L. Retd. H.R.&C.E.

10 JAN 1945

F

25

Office of the Board of Commissioners
for Hindu Religious Endowments,
Cathedral Post, Madras.

Letter No. 5949/B-Adm-44/6 dated 8-1-1945.

From
Rao Bahadur
Sri. T.M.Chinnaiya Pillai, M.A.,B.L.,
President, Hindu Religious Endowments
Board, Madras.

To
The Secretary to the Government
of Madras,
Education and Public Health Department
Fort St. George, Madras.

Sir,

Sub:- Endowments- Religious Gowd Saraswath Brahmin Temples Trustees' Association- South Kanara- Representations to the Adviser to Education and Public Health Department-Administration etc., of temples- Report.

01477

Ref:- D.O.Nos. 51704 F/44-3-P.H and 51704-F/44-5-P.H. dated 14-11-44 and 21-11-44 respectively.

***

In continuation of my D.O. dated 21-11-44, I have the honour to state that I camped at Mangalore on the 12th and 13th December, 1944, along with A.S.M.Nair Esq., Divisional Commissioner and had personal discussions with Rao Bahadur Sri. Dr. M.Kesava Pai, O.B.E. Sri. M. Anantha Baktha and some others also met us and represented that the Brahmin Temples' Trustees' Association has only been recently formed by a few interested

(P.T.O)

persons; that it does not represent the majority of persons in the community; that what they have stated in their memorandum to Government is one-sided and that no action should be taken on the said Association's representations at present. No documents were however produced before us in support of their respective contentions by either parties. Further information is required on some of the matters mentioned before us and it is being called for. A copy of the questionnaire issued in this connection is enclosed. I have therefore the honour to submit that my final remarks will be sent to Government in about a month's time.

The printed copy of the Memorandum of Association and rules of the Gowd Saraswat Brahmin Temples' Trustees' Association sent as enclosure to this office letter No. 59492/Adm-44-2 dated 3-11-44 may be returned.

I have the honour to be,
Sir,
Your most obedient servant,

President.

H.R.E. Gowd Saraswat Brahmin Temples
Representation from the Trustees' Assn.
From the Pl. H.R.E. Board. Pl. 59492 Adm-44/43 8.1.45
Memo No. 57704F/44-7 Pl. 8/12.1.45.

The memorandum of Assn. & Rules & regulations referred to is returned herewith

To the Pl. H.R.E. Bd with apprn to

x Whether on which the patta was transferred

QUESTIONNAIRE.

1 When was the temple founded? That is, when did the worship commence in the temple?

2. Who founded the temple?

3. Where is the temple constructed? Is it constructed on village poromboke or on patta land? If it is constructed on patta land, in whose name does the patta stand? If the patta stands in the name of the deity, is there any document to show the name of the deity?

4. In whose name did the patta stand prior to the date of such transfer?

5. Is there anything to show that the land on which the temple stands together with the surroundings was bought by any one on behalf of the community for the purpose of building the temple?

ENDOWMENTS.

6. Are there endowments to the temple? If so, specify the number of such endowments and the names of the donors.

7. Have lands been bought for the temple by those in management? If so, specify the number of such items bought together with the date of such purchase.

8. Who represented the temple in those transactions?

9. Is there any statement either in any of the deeds of endowments or in any of the documents evidencing purchase or sale of lands by the temple, that the temple is one belonging to the community?

10. Were those who represented the temple in these transactions representatives of the community as well?

GENERAL.

11. Is the community of Gowda Saraswaths a well-organized community, owing its own properties for the purpose of advancing its own social, religious and moral ends?

12. Is there any land or choultry or water-pandal or any other institution in South Kanara Dt, owned by the Gowda Saraswath community as such?

13. Is there any instance of any purchase or gift of land or other property, the income out of which is to be utilized solely for the upkeep of an institution designed to advance the needs of the community, social, moral or religious?

14. How many Venkataramana temples are there in the district? Are there Venkataramana temples in the district owned or managed by any individual or community other than the Gowda Saraswaths?

15. How many Srimad Anantheswar or Sri Madanantheswar temples are there in the District? If there are many, do the Gowda Saraswath Brahmins claim to have control over all these institutions? If not, to which of these Anantheswar temples (Siva temples) do the Gowda Saraswaths lay claim?

SRIMAD ANANTHESWAR TEMPLE, MANJESWAR.

16. Will the accounts of the temple at Manjeswar reveal that the management of the institution had been at any time in the hands of non-Gowda Saraswath Brahmins?

17. Is there anything in the temple records to show that somewhere about 1800 A.D. one Vittal Hegde, a non-Brahmin chief, had control over this institution?

18. Is there any instance where the Gowda Saraswath Brahmins asserted that the Srimad Anantheswar temple at Manjeswar belonged to that community and the assertion was denied by members of any other community?

19. Has there been any instance of any litigation between Gowda Saraswaths and non-Gowda Saraswaths touching the question as to owner ship or management of this institution?

20. Who were the plaintiffs and who were the defendants in the scheme proceedings in 1920?
Was the question as to the ownership of the temple raised in that suit and was an issue framed in respect of it ?

21. Was there a suit in the year 1938 filed by the members of the Gowda Saraswath Brahmin community asserting that ~~the temple belonged to their community and for a declaratio~~

P.T.O.

the temple belonged to their community and for a declaration to that effect?
If there was such a suit, how was it disposed of ?

22. In the same year, was there another suit for the modification of the scheme?
If there was, how was this disposed of? (copies of plaint, written statement and order of court to be sent to the Board)

23. At the time of the Notification Proceedings, did the Gowda Saraswath Brahmin community raise the objection that the temple was not liable to be notified as it was a temple belonging exclusively to their community? When, after the notification, the Board appointed an executive officer and refrained from appointing trustees, did any one on behalf of the Gowda Saraswath Brahmin community raise the claim that the Gowda Saraswath Brahmin community must be associated in the management?

24. Were there trustees for the institution?
Were they functioning by virtue of any hereditary right or any order of appointment passed by any authority? If they held their office by virtue of any appointment order, was the order passed by the Gowda Saraswath Temple Committee when it was functioning in the District?

25. Has there been any instance of any Temple Committee other than the Gowda Saraswath Temple Committee exercising jurisdiction over this institution?

GOWDA SARASWATH TRUSTEES' ASSOCIATION.

26. When was the Association started and by whom?

27. Before the formation of this association, was there any such association in the District?
Is there any association in the District designed to promote the welfare of the whole community? If so, give the name of the association and the date on which it came into existence.

28. Who are the members of the Gowda Saraswath trustees' Association?

29. Are the trustees of all the temples members of the Association and do they pay any subscription to the Association? If so, how do they pay? Is it from temple funds or from their private funds?

30. Who is the President of the Gowda Saraswath trustees' Association?

COUNCIL OF ELDERS.

31. Who are the members of the Council of Elders?

32. When was it started and by whom?

33. Was there anybody or association in existence prior to that date, of a similar type and what were its functions?

34. What are the functions of the Council of Elders?

.....

35. Are the usages as regards pooja etc. in Manjeswar temple the same as those that obtain in the Gowda Saraswath temples?

36. Is there a Narasimha deity installed in Manjeswar temple? If so, when was it installed? Is prominence given to it?

37. Is naivedyam offered to Anantheswar (Siva Linga)? If so, what is the naivedyam? Is it cokked rice or raw rice? To whom is it offered after it is offered to Anantheswar and do they eat it?

38. Are Neivedyams offered to the following deities in Manjeswar temple:
(1) Narasimha, (2) Garuda, (3) Hanumar, (4) Laxmi, (5) Vigneswara.
If neivedyams are offered to these dieties, how are they disposed of?

39. Are the Gowda Saraswath Brahmins devotees of Vishnu or Siva?
Do the Gowda Saraswath Brahmin community believe in Siva even now?

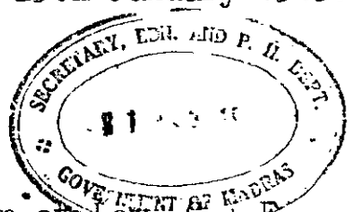
40. Are there temples in Goa from which place the Gowda Saraswath Brahmins are supposed to have migrated, dedicated to Siva, If so, give the names of such temples.

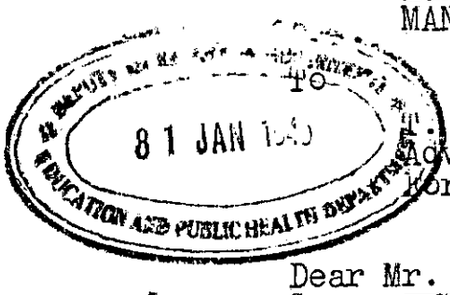
41. Are there temples in Goa worshipped by Gowda Saraswath Brahmin dedicated to Vishnu? Are they called Venkataramana temples?

Manjeshwar, S. K.
29th January 1945.

From

M. Anantha Bhakta,
Landlord,
MANJESHWAR, South Kanara Dt.





To

T. Austin, Esqr., I.C.S., Bar-at-Law, C.I.E.,
Adviser, H. E. the Governor of Madras,
Fort St. George, M a d r a s .

Dear Mr. Austin,

04464

Many thanks for your letter dated 18th November 1944 informing me that no hasty action will be taken by the Government on the representations made by the Gowd Saraswath Brahmin Temple Trustees' Association and asking me to meet Mr. T. M. Chinnaya Pillai, President, Hindu Religious Endowments Board who would be camping in South Kanara. As suggested by you, I met Mr. Pillai in the train on the 14th December 1944, (He asked me to meet him on the 13th December 1944 at 12 noon at the T. B. at Mangalore. I had been to the T. B. at 11-45 a.m. to see him as suggested by him but he was not there and I had to return disappointed. Hence I met him in the train on the 14th December 1944 when he was returning to Madras) and I was told that the Deputationists wanted the Hindu Religious Endowments Board to declare the Manjeshwar Srimad Ananteshwar Temple as a Gowd Saraswath one and wanted the Board to permit the deputationists to use the surplus amount in the temple for the benefit of the Gowd Saraswath Brahmin Community. I pointed out to him that the local Srimad Ananteshwar Temple is a Hindu one and the funds of it cannot be utilised for the benefit of one community as suggested by the Deputationists. I also gave him some reasons for my above contention. As the time at my disposal was very short I could not explain anything to him in detail.

I met the Divisional Commissioner Mr. A. S. Mannadi Nayar also on the 15th December 1944 at Mangalore and explained to him the necessity of declaring the local temple as a Hindu one and explained to him my reasons for the same. He was kind enough to ask me to put all my arguments and reasons in writing and forward them to the President of the Hindu Religious Endowments Board so that he might be in a position to decide the matter properly.

All these days I was busily engaged in collecting records and materials to prove to the Hindu Religious Endowments Board that the local temple is a Hindu one. But, I find that it is the Executive Officer and the

Manager of the local temple who are responsible for this trouble and it was they who engineered the deputation. As long as the present Executive Officer and the Manager continue in their respective offices, I find it impossible to get justice either from you or the Hindu Religious Endowments Board. Both of them belong to the clique of the Deputationists and both of them are actively engaged in carrying on a strong propaganda in their favour. The temple records and office are under their absolute control and we have no access to them. I would like you to note the fact that the local temple is a Notified one and it is under the direct control of the Hindu Religious Endowments Board. Both the Executive Officer and the Manager are the servants of the Board. When such people actively side the deputationists, I do not think any useful purpose will be served by my writing anything to the Board and placing facts before them. Both the Executive Officer and the Manager are in a position to weild considerable influence due to their position and it will not be possible for anyone to go against their wishes as long as they are in office. I have explained everything in my letter to the President of the Hindu Religious Endowments Board dated 29-1-1945 and has placed all facts before him. I have requested him to remove the present Executive Officer and the Manager from their Offices and appoint an experienced outsider - preferably a Non-brahmin - who will not side any one in their place and thus create an atmosphere of confidence in our minds. I have herewith enclosed please find a true copy of my above letter to the President, Hindu Religious Endowments Board dated 29-1-1945 for your kind information. I appeal to you to kindly go through the same and oblige. I have informed the President of my inability to write to him anything about this controversy as long as the present Executive Officer and the Manager continue in their offices. I hope you will appreciate my point of view.

I am very sorry to let you know that I could not take any part in the Defence Savings Fortnight organised by the Government though I am a member of the District Committee formed for this purpose. I also regret very much I could not go to Kumbla to meet the Military Officers and others who have come there for camping though I promised them to do my best to help them. This useless controversy about these temples prevented me from doing any constructive work and my work in connection with War effort suffered thoroughly. I did my best to get the whole controversy shelved for the

duration of the war. But, I am very sorry to let you know that my efforts in this direction failed miserably. When narrow minded communalism runs riot and when some interested and self-styled bodies want to establish a dictatorship, in the name of temples and other things, I had no other go but to resist their attempts in this direction. I have herewith pp 38-39 enclosed please find a true copy of my letter to the President, Hindu Religious Endowments Board, dated 4th December 1944 for ~~your kind information. I appeal you to go through it~~ and you will be able to understand my efforts in this direction.

The temporary set-back to the Allies in the Western Front and the events in Greece has distressed me very much. We are expected to do our utmost to shorten this war which is causing agony to all. I do not think the Deputationists and the Executive Officer and the Manager of the local temple who engineered it are justified in creating undesirable controversies now and thus diverting our energies and attention in other directions. Can a servant of the Hindu Religious Endowments Board who is responsible to the Government do such a sort of thing? Can they still afford to continue in office, inspite, of the crime committed by them? Can the Hindu Religious Endowments Board afford to entertain such people? I leave these questions to you to decide. If the Government and the H.R.E. Board can afford to entertain people like the Executive Officer and the Manager who are responsible for the whole trouble and if it is their desire to shelter them, I think, it is better to retire from this controversy and give them a free hand to do whatever they like. Another controversy like this, I assure you, will bury the whole district into communal strife. If given a free hand like this, I would like to assure you once again that they (Executive Officer and the Manager) will not fail to create another controversy in the near future.

If you are not convinced and if you so desire, I have no objection to go over to Madras and explain the whole matter to you personally and convince you of the necessity of taking strong steps to prevent such controversies in future atleast. I beg no favour from you and I require none. I beg you to do justice and nothing else. I appeal you to kindly consider the matter seriously and request you to do justice.

I hope to receive a reply from you.

Thanking you,

Yours sincerely,

M. Ananthasayanam Bhakle

From

Manjeshwar,
29th January 1945.

M. Anantha Bhakta,
Landlord,
MANJESHWAR (South Kanara Dt.)

To

T. M. Chinnaiya Pillai, Esqr.,
President, Hindu Religious Endowments Board,
Cathedral Post, M a d r a s .

Sir,

Ref: Representations made by the Gowd Saraswath Brahmin Temple Trustees' Association - Re: Local Srimad Anantheshwar Temple.

I met the Divisional Commissioner, Mr. A. S. M. Nair at Mangalore on December 15th last after meeting you in the train on the 14th December 1944 and discussed with him the position of the local Srimad Ananteshwar Temple which the self-styled Gowd Saraswath Brahmin Temple Trustees' Association claim as a Gowd Saraswath one. I tried to impress upon him the fact that the local Temple is a Hindu one and pointed out to him the necessity of such a declaration from the Hindu Religious Endowments Board so as to put a stop to the unnecessary and undesirable controversy raised by the above self-styled body which waited upon the Adviser and yourself on deputation. He desires me to put all my points and arguments in writing and forward them to you so that you might be in a position to decide the question properly.

All these days I was trying to get necessary material and other records to prove that the local temple is a Hindu one. Fortunately as I have a library containing very old publications and as my family was closely connected with this temple as hereditary trustees, I was able to gather enough material to prove that the local Srimad Ananteshwar Temple is a Hindu one.

Before writing anything to you and before placing the facts about this temple, before you, I would like to draw your kind attention to the reprehensible conduct of the Executive Officer of the temple, Mr. K. P. Kamath in particular and the manager of the temple Mr. B. N. Baliga in general in engineering the deputation and in openly associat-

ing with it. Both, Mr. K. P. Kamath and Mr.B.N.Baliga are servants of the Hindu Religious Endowments Board and I do not think they are justified in abusing the trust placed in them by the Board and in creating undesirable contraversies. Mr. Kamath is closely related both to Dr. Kesava Pai, leader of the deputationists and Mr. Venkatesha Pai who accompanied him. In addition to it Mr. Kamath is a member of the Gowd Saraswath Brahmin Temple Trustees' Association and the Gowd Saraswath Parishad in the capacity of the Executive Officer and the representative of the local Srimad Ananteshwar Temple. It is the Executive Officer, Mr.Kamath who supplied the deputationists with the judgment of Mr. Newsam former District Judge of South Kanara on which the deputationists base their claim to this temple as a Gowd Saraswath one. Mr. Kamath is more than anxious to help these self-styled bodies. And he has attended the latest session of the Gowd Saraswath Parishad - a self-styled body created by Dr. Kesava Pai and his relatives - held at Mangalore during the last week of December 1944. Much evidence is not necessary to prove that Mr. Kamath belongs to this clique of Dr. Kesava Pai. His administration speaks for itself. He has thoroughly followed the policy of his Fuehrer, Dr. Kesava Pai and has Gowd Saraswathised the whole administration of the temple. Even the guards and the menial servants of the temple are Gowd Saraswaths. He has not hesitated to chase out other community people. Moreover to please his boss Dr. Kesava Pai, he has completely put a stop to the age-long charities which the temple used to give to all communities without any distinction of caste or creed. He has completely put a stop to scholarships which the temple used to give to all. The Temple Office is named as DHARMA AGRAHARAM and trustees or managers who were in charge of this Agraharam and this temple used to give alms to all including Sadhus of all communities. Mr. Kamath the present Executive Officer to satisfy the whims and fannies of Dr. Kesava Pai has completely stopped this age-long practice also. Mr. Kamath is faithfully

following his master and he thinks he is a subordinate of Dr. Pai and not of the Board. Even to-day Mr. Kamath is busily engaged in getting some material help even by foul means to get a decision in favour of the deputationists from the Board.

I also would like to draw your kind attention to the unmannerly and rowdy behaviour of the Manager of the temple Mr. B. N. Baliga (~~xlw~~) He is always engaged in abusing the public of Manjeshwar without any distinction. He seems to be under the impression that he was and is here at Manjeshwar for this purpose only. He spares nobody and his vocabulary of abuse and filth contains words which have no place in any dictionary. I do not think any sane person would behave like this. I would like to request you to note the fact that the Manager Mr. Baliga has not scribbled a single line in any of the account-books in the Temple and as far as I can contemplate he is paid only for the purpose of bringing the public of Manjeshwar into disrepute. His favourite place is a local coffee hotel where anyone can find him at any time of the day. He is always there engaged in abusing all sorts of people including the deity of the temple. Unfortunately he has not spared even Lord Madanantheshwara, the principal deity of the temple, who is incapable of doing any harm to Mr. Baliga. Mr. Baliga has gone to the extent of threatening the people of Manjeshwar by saying that he would have the deity removed and thrown into the sea. I leave it to you, Sir, to decide whether he can behave like this and whether he is justified in his behaviour. If you have any doubt about my above statement, I request you to kindly meet the Manager once and have a talk with him about the people and public of Manjeshwar. And I am sure you will be able to see the things as they are. Unfortunately Manjeshwa has been forced to tolerate this unwanted elemented. I do not know what will happen if this sort of thing is allowed to continue.

The position of the people like myself, who want to oppose the deputationists who wish to prove to you that the temple is a Hindu one is very difficult and unenviable. The temple records and office are in the hands of the Executive Officer and the Manager who are publicly siding the deputationists. They are using their position to help the deputationists. They have hold out threats of victimisation to us if we try to oppose the deputationists and do anything contrary to their wishes. They publicly say that the entire funds of the temple would be used by them to terrorise us if we try to oppose them. Looking at the fate of the some people who tried to resist them, I think, I must think twice before doing anything in the matter. Moreover the temple records and valuable manuscripts which might help us to prove that the temple is a Hindu one, are in their possession. We have no access to them. I am told that the Manager and the Officer are busily engaged in destroying some of the valuable records to help the deputationists in their work. This is very dangerous. I think the Board is ill-advised in not taking any interest in this matter.

~~(I want justice, nothing less and nothing more. If they - the Executive Officer and the Manager~~

It is a open secret that the deputationists propose to file a suit for declaration in a Court of Law if they fail to get a decision from the Board in their favour. I understand that they have already sent the records, etc. in their possession to a leading lawyer. Under such circumstances, when they threaten to file a suit, I think, the Board is not well advised in allowing the present Executive Officer and the Manager, who engineered the deputation and who are openly engaged in carrying on a propaganda in their favour, to continue in office. I am sure an independent person who will not side anyone must be in office at present. If the present Executive Officer and the Manager are allowed to continue in office and if the deputationists file a suit,

I am sure, the position of the Hindus in general will be untenable. The chief factor which will decide the fate of this temple will be the temple records and manuscripts. And if they are in the possession of persons like the present Executive Officer and the Manager who are the sympathisers of the deputationists, I am sure, the records and manuscripts will be thoroughly used for the benefit of the deputationists. I would like to request you to kindly note this fact also.

I have already written to you about the representative capacity of the deputationists and their Gowd-Saraswath Brahmin Parishad. And I do not think I should write you more about it. The Gowd Saraswath Brahmin Parishad of Dr. Kesava Pai as far as I know, has not a membership of even ONE THOUSAND. The Gowd Saraswath Brahmin Community is scattered all over India and which might be more than 6 lakhs in number. And this fact will clearly prove you that the Gowd Saraswath Brahmin Parishad and its allied organisations represent nobody except Dr. Kesava Pai, his friends and relatives. Under the circumstances the Board will do well not to recognise this self-styled body as the representatives of the Gowd Saraswath Brahmin Community.

As long as the present Executive Officer and the Manager continue in their offices, I do not think any useful purpose will be served by my trying to prove to you that the local temple is a Hindu one. Unless the temple is placed under the control of an independent person, preferably a non-brahmin outsider, I think any effort on my part to prove to you that the local temple is a Hindu one, will be useless. I do not wish to waste my time, energy and money in a wild goose chase. I appeal you to remove the present Executive Officer and the Manager and place the temple office immediately in the hands of an experienced person who will not side anyone. A surplus budge-t and an yearly contribution to the Hindu Religious

Endowments Board without any grumbling they say (i.e., Executive Officer and the Manager) are their secret weapons to hoodwink the Board. They claim that if they do the above two things they need not worry about any action either from you or the Hindu Religious Endowments Board. They believe that the Board is only after these two things (i.e., surplus budget at any cost and an yearly contribution without any murmur or protest). If this is a fact and if the Board is only after the above two things, I believe, I will be only a fool to write you anything about this temple. The methods employed by the Executive Officer and the Manager to show a surplus budget to you are horrible. I think that no civilised person would have employed them. As I am not writing anything to you about the administration of this temple I do not wish to write you about it. If you so desire I have no objection to place all the facts before you, provided you assure me to do justice in the matter. I humbly appeal you to create an atmosphere of confidence by removing the present Executive Officer and the Manager from their respective offices and appointing an experienced person belonging to some other district - preferably a non-brahmin in their place. If you cannot do this and if you are not in a position to place the administration of the temple in the hands of an outsider, I am afraid, I will have to withdraw from this controversy. I have already explained you the reasons for this step and I am sure the matter will receive your serious consideration.

I would like to get a reply from you.

Thanking you,

Yours faithfully,

Sd. M.Ananthe Bhatta.

True Copy.

Manjeshwar,
4th December 1944.

The President,
Hindu Religious Endowments Board,
Madras.

From
M. Ananth Bhakta,
Landlord,
MANJESHWAR, South Kanara.

Sir,

The news of the deputation of the so-called 'Gowd Saraswath Brahmin Temple Trustees' Association' has taken the Gowd Saraswath public by surprise, and such as had opportunity of learning about it, are led to speculate about the possible object of such a faked up affair. I have already submitted some of my doubts and apprehensions regarding the same to Mr. Austin, Adviser to His Excellency the Governor of Madras (a copy enclosed for your information.)

The Gowd Saraswath Brahmin Community has various temples in South Kanara, North Kanara, Cochin and other places. It is not known if the so-called 'Association' represents the trustees of all these temples or not. In South Kanara alone, there are 10 self-subsisting temples. Kanhangad and Kasaragode in Kasaragode Taluk, Mangalore, Bantwal, Surpur and Kulki in Mangalore Taluk, Udipi and Karkal have important temples. Since the sending of my last letter, I have had opportunities of conversing with some members of the public of these places about the so-called 'Association.' I found that they were mostly ignorant of the very existence of such an 'Association.'

The information so far available is that some individuals from Mangalore, Messrs. Dr. Keshava Pai, M. Venkatesh Pai and A. Srinivasa Pai, seem to have waited in deputation. It is highly presumptuous on the part of such persons, who are closely related to each other, in whatever position they may be to assume the authority of being the spokesmen of the trustees of the various temples of the Gowd Saraswath Community which may be more than 4 lakhs. I am a close observer of the local papers, but I can say that not a bit of news has appeared so far in any one of them regarding the formation of such an Association. The members of the Gowd Saraswath Community are further scared by the fact, that nothing is published as to what the 'deputationists' went for, and what representations they made. It was up to the 'deputationists' atleast to inform the public subsequently as to what 'great benefits'. They have striven to confer upon the Community by waiting in deputation. Then atleast the public might have felt the

satisfaction, that though some individuals have styled themselves representatives, their motive is not detrimental to the interests of the public. But there has been a studied silence, and one is naturally led to suspect the bonafides of the deputationists.

I am not sure, if the 'deputationists' have included the Manjeshwar Srimatnanantheshwar Temple, within their sphere of action. I do not think it necessary, to bring to your notice, that in any case, they cannot have the least voice as regards the affairs of this temple. It is not a Gowd Saraswat Temple but a Hindu Temple. It is not open to any one at this time to make any claim to the contrary. I am confident, that any attempt in that direction will be put down by the Board. Else, it is sure to lead to such controversies, as are not desirable either now or at any time.

In the absence of any definite knowledge as regards the objects of the deputation, I am not in a position to say anything in respect of the same. Are their proposals about changes in the administration or are they intending to have some social reforms? What exactly do they want? Nobody knows But every one asks 'what locus standii have they?

I submit that it is highly undesirable especially now, to raise any controversies which concern the mass of public. In a more peaceful atmosphere such things could be taken up and decided to the satisfaction of the public. Wiser heads than that of the deputationists have worked out a Scheme, which is working to the satisfaction of all. If the deputationists have any 'secret weapons' let them atleast wait till the end of the war to experiment upon them, instead of trying them now only and creating confusion in the minds of the public.

I request therefore that no action may be taken on the basis of the representations or misrepresentations made by the deputationists.

Yours faithfully,

Sd. M. ANANTHA BHAKTA

Copy to:

Mr. T. Austin,
Adviser, H.E. The Governor of Madras,
Madras.

TRUE COPY.

40 Estt Dept(P)

8991/5.2.45

HR&E. S. Kanara Dt. Gowd Saraswath Brahmin Temples Trustees' Assn. Representation. Alleged interference by the Ex. Officer and Manager, Srimathi Ananteswar Temple, Manjeshwar.

From Sri K. Anantha Bahkta. Manjeshwar dt 29.1.45

Endt. No. 51704-F464-8 Pt.B 3.2.45.

Referred to the Pt. HR&E Board, for remarks.

Mm 2.2.45

Dy 3.2.45.

Deputy Secretary

The Pt. HR&E Bd (with copy of Rep. 26.27 cf & p.28 in original, together)

the contents of which were not communicated to me. (copy enclosed)

The Government in a similar memorandum No. Ms. 2426 dated 9-12-1936 were pleased to direct the President, District Board, Nellore, to appoint me as an acting medical officer, to the L.F.A. Dispensary, Sayipet, Kavali Taluk, Nellore District. As per the orders contained in Ref. No. 327-A5-36 D.B. dated 15-1-37 of the President, North Nellore District Board, I acted again, in Nellore District from 15-1-37 to 16-8-37.

When I sought for my appointment in Nellore District

E & PH Deptt(F)

D.O. No. 51704 F/44-9 PH dt 21.2.45

Dear Rao Bahadur,

Subject: H.R.E. S. Kanara Dt. Erad Saraswath Brahmin Temples. Representation from the Trustees' Assn.

I am to invite reference to correspondence ending with Govt. Endt. No 51704 F/66-8 PH. dt 3.2.45 and to enquire at what stage the matter stands now and when a reply may be expected.

Yours sincerely,

21.2.45

To

Sri Rao Bahadur
M. Chinnayya Pillai
Chief Pt. Officer

A.KONDAPPA, B.A., B.L.,
ADVOCATE.

ANANTAPUR,
28th August 1944.

Rao Bahadur D. Krishnamurthi Naidu, B.A., B.L., was Commissioner, Hindu Religious Endowments Board, during the years 1935 to 1938 when I happened to be the President of the Board. In matters of administration he gave general co-operation. After the expiry of his term in 1938 as Commissioner I recommend him for re-appointment as Commissioner.

(Sd.), A.KONDAPPA.

Office of the Board of Commissioners
for Hindu Religious Endowments,
Cathedral Post, Madras.

D.O.No. 8750 Adm/45-1 dated 23-2-1945.

Dear Mr. Prasad,

Sub: Hindu Religious Endowments - South Kanara district - Gowd Saraswath Brahmin temples - Representation from Trustees' Association -

Ref: Your D.O.No. 51704 F/44-9 P.H., dated 21-2-1945.

With reference to the questionnaire issued by the Board, replies have been received from Rao Bahadur Dr. M.Kesava Pai, the Executive officer of Srimad Ananthesvar temple at Manjeswar and the Assistant Commissioner, Hindu Religious Endowments at Mangalore. They are under examination and my final remarks on the representation of the Association will be submitted to Government before the end of the next month.

Yours sincerely,

R.Prasad Esq., I.C.S.,
Under-Secretary to Government,
E & P.H.Department, Fort St.George,
Madras.

43 21/6/45 20/9

Endt. Department

D.O. No. 51704 F/44-11 PH. dt. 5.4.45.

Dear Rao Bahadur,

Subject: H.R.E. - South Kanara District Board Saraswath Brahmin Temples. Representation from the Trustees' Assn.

I am to invite reference correspondence resting with Govt. endorsement no. 51704 F/44-10 PH. dt. 12 Nov. 44 and 5-3-45 and to enquire at what stage the matter stands now and when a reply may be expected.

Yours sincerely,

Section Officer

Dept
6/4

To
Rao Bahadur
M. Chinnayya Pillai
M.L.A.
Hon. Secy. H.R.E. Bds, Madras

The Gowd Saraswath Brahmin Temple Trustees' Association,

08586 (REGD. UNDER ACT XXI OF 1860)

Woodside,
SRI VENKATRAMANA TEMPLE,
Karnad Sadashiva Rao Road,
Mangalore, February 1945.

RAO BAHADUR
DR. M. KESAVA PAI, O.B.E., M.D.
PRESIDENT.

M. VENKATESH PAI.
HON. SECRETARY & TREASURER.

SECRETARY, EDN. AND P. H. DEPT.
1 MAR 19
GOVERNMENT OF MADRAS

From

Rao Bahadur Dr.M.Kesava Pai, O.B.E., M.D.,
President, South Kanara Gowd Saraswath Brahmin
Temple Trustees' Association, Mangalore.

To

The Hon'ble the Adviser to His Exeellency the Governor
of Madras, Education and Public Health Department,
Madras.

Sir,

Subject:- Religious Endowments - South Kanara District
Gowd Saraswath Brahman Temples.

Further to my Memorial of 26th October 1944 and my personal representation to you on 10th November 1944, I am glad to inform you that the President of the Hindu Religious Endowments Board was pleased to grant me and a delegation from my Association an interview at Mangalore on 12th December 1944.

2. As a result of the interview and subsequent investigation it has become clear that the Temples referred to in my Memorial are absolutely Gowd Saraswath in ~~ownership~~ ownership and that the community should be allowed to benefit from their surplus funds for its religious, educational and social amelioration.

3. The Gowd Saraswath Brahman Temple Trustees' Association is a purely voluntary body whose only desire is to bring about a co-ordination and co-operation between the trustees of the various Gowd Sraswath Brahman Temples in the district with a view of preventing overlapping of work and of waste of resources. The object of the Association is to bring about the maximum benefit from surplus funds of the Gowd Sraswath Brahmans' temples so that the community may get such benefit without interfering with their rights in disposing of such funds in other ways under the advice of the Hindu Religious Endowments Board.

Gowd Saraswath Brahman Temple Trustees' Association fully regognises that the temples owe a duty to the Government in helping the

war effort, whilst at the same time looking to the improvement in methods of worship, raising the standard of the priests and harmonizing the objectives of the temples with a view to real fulfilment of the duties of these sacred religious institutions established by their forefathers.

5. My Association may be pardoned for its eager desire to see that the above objectives are attained as fully as possible, without in any way interfering with the administration of these institutions by the Hindu Religious Endowments Board.

6. Our forefathers have made considerable sacrifices in the establishment of these temples and the fruits therof should not, I beg to submit, be denied to their descendents.

I have the honor to be
Sir,
Your obedient servant.

PRESIDENT.

47 Edn. Dept. (F)

H.R.E. S. Kanara Dt. Gowd Saraswath Brahmin Temple Trustees' Assn. Representation.

pp 42-44 cf

From the Pl. The Gowd Saraswath Brahmin Temple Trustees Assn., dt 2.65.

Endt No. 51704 F/44-10 Pt. dt 3.3.65

Referred to the Pl. H.R.E. Board for remarks

mm 2.3.65 — J 3.3.65

To The Pl. H.R.E. Bd with cf. Enclosed

The endt. is submitted with reference to the Advisers minute on p. 42 cf.

pp. 42-44 cf

mm 2.3.65 — J 3.3.65

From

The Managing Trustee,
Nagara Seerakkudy Temple,
Chokkalingampudur Post (Ramnad District)

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St.George, Madras.

Sir,

H.R.E. Amending Bill - Objections.

I have the honour to state our objections to the Amending Bill to the Hindu Religious Endowments Act of 1926 as follows :-

1. That the proposed increase of the rate of contribution from 1½% to 3% from Excepted Temples like this is unjustifiable and unwarranted as the superintendence of the

Office of the H.R.E.Board, Cathedral Post, Madras.

Letter No.59492/44-15 Adm dated 10-4-1945.

From
Rao Bahadur Sri
T.N.Chinnaiya Pillai, M.A.,B.L.,
President, Hindu Religious Endowments
Board, Madras.

To
The Secretary to the Government of Madras
Education & Public Health Department,
Fort Saint George,
M A D R A S.

Sir, 14439

Sub: Hindu Religious Endowments - South Kanara District - Gowd Saraswat Brahmin Temple Trustees' Association --Representations.

Ref: 1. Government Memo No.51704F/44-1 P.H. dated 30-10-44.
2. Government D.O.No.51704F/44-3 P.H. dated 14-11-44.
3. Government D.O.No.51704F/44-3 dated 21-11-44.
4. Government Endorsement No.51704/44-5 P.H. dated 3-2-45 and
5. Government Endorsement No.51704/44-10 P.H. dated 3-3-45.

12 APR

In the first reference of the Government dated 30-10-1944 quoted above my predecessor was asked to submit a report on the petition dated 26-10-1944 of Sri Rao Bahadur Dr.M.Kesava Pai, O.B.E., President of the South Kanara District Gowd Saraswat Brahmin Temple Trustees' Association, urging that the association should be consulted by the Assistant Commissioner for Hindu Religious Endowments, South Kanara District at Mangalore, in matters relating to the efficient management of about 40 temples, mentioned in the list enclosed to the petition as belonging entirely to the said community. In this office letter No.59492/44-1 Adm dated 3-11-1944 my predecessor submitted his report concluding, that the Board and the Assistant Commissioner would always be glad to avail themselves of and give due weight to the views of the Association whenever they are placed before them or as and when deemed necessary; but that the Board could not go further and admit that all the temples in question and in particular the temple of Srimad Anantheswar at Manjeshwar are exclusivel the temples of the Gowd Saraswat Brahmin community, without a detailed examination of each case as and when it may arise for consideration; and that on an examination of the records so far available, the Board could not admit that the Manjeshwar temple is exclusively a Gowd Saraswat Brahmin temple.

2. Thereupon, in the second reference of the Government dated 14-11-4 quoted above, a copy of the memorandum presented on 10-11-44 by the Associati at Mangalore to His Excellency's Adviser was sent to me and I was asked to go to Mangalore and discuss the matter fully with the President of the Associ tion and forward a report. In the said memorandum, the claim put forward in the petition referred to above was reiterated i.e., that all the temples in question belonged exclusively to the Gowd Saraswat Brahmin community which alone should be allowed to manage the said temples in the best manner possible; and it was further requested that the Board might be directed not to object to the establishment of a Vedantha Patasala to be founded and run by funds provided by all the said temples, since the Association believed that the present policy of the Board indicated a retrograde tendency from its previous policy which favoured such utilisation of the surplus funds of the said temples In continuation of this reference dated 14-11-1944, a petition of Sri - Anantha Bhakta dated 15-11-44 was also forwarded to me with the third Government reference dated 21-11-44, quoted above, and I was informed that this petitioner also might be heard in my camp at Mangalore. Mr. Bhakta stated in his petition that the Manjeswar temple was not exclusively a Gowd Saraswat Brahmin Temple, that the so called deputationists on behalf of the Association represented nobody except themselves, and that any representations made by them without consulting the community in general would create controversy and communal strife. He therefore requested that the whole question might be put off for the duration of the present war. The Board also received largely signed mahazars from the Gowd Saraswat Brahmin residents of Udipi, Kasaragod, Kumbla and Manjeshwar expressing surprise on hearing about the existence of such an Association and stating that none could assume authority without consulting the general community of about 5 to 6 lakhs, in number, and that the opinions of the four deputationists should be taken only as their individual opinions.

3. The Divisional Commissioner, A.S.Mannadi Nair, Esq.,B.A.,B.L., Barrister-at-Law, and I camped at Mangalore on the 12th and 13th of December 1944 and an opportunity was given to Sri Rao Bahadur Dr.M.Kesava Pai, O.B.E., the President of the Association, Sri M.Anantha Bhakta and some others to prove

the statements made by them. They did not produce any document or other record in support of their respective contentions but only reiterated the allegations contained in their memoranda. I then made a report to Government in my letter No.59492/44-6 Adm dated 8-2-1945, stating that in the absence of reliable documentary evidence produced by either party during my camp at Mangalore, it was necessary to call for further particulars, and that these were being called for from the trustees of the temples and from the Gowd Saraswat Brahmin Temple Trustees' Association in the form of replies to a questionnaire, a copy of which was also forwarded to Government with my letter.

4. In the fourth reference from the Government dated 3-2-45 under reply, another petition of Mr.Bhakta dated 29-1-45, alleging interference by the Executive Officer and the Manager of Manjeshwar temple, has been forwarded to me for remarks. Mr. Bhakta alleges in his petition that the Executive Officer and the Manager of the temple are openly siding with and helping the Association, adopting questionable tactics for this purpose, and that it would be desirable to remove them from office and to appoint an experienced outsider, preferably a non-Brahmin as Executive Officer of Manjeswar temple. Mr.Bhakta had also made a similar written representation to the Board at the same time containing various allegations against the Executive officer and the Manager of the temple. The Assistant Commissioner, Hindu Religious Endowments, Mangalore, was requested to submit a report on these allegations after due enquiry.

5. In the last reference of the Government dated 3-3-45 under reply, I have been asked to submit my remarks on the petition of the President of the Association dated February 1945 reporting to the Government that as a result of the interview he had with me at Mangalore in December 1944 and by subsequent investigation it became clear that the temples in question are absolutely Gowd Saraswat in ownership, and requested that the Gowd Saraswat Brahmin community should be allowed, as early as possible, to benefit for its religious advancement and social amelioration, from the surplus funds of these temples.

6. The following are the two main questions that arise for consideration in respect of the references received from the Government:-

(i) whether the temples in question are temples owned exclusively by the Gowd Saraswat Brahmin Community; and

(ii) whether the allegations against the Executive officer and Manager of the Manjeshwar temple made in the petitions of Mr.Bhakta are true and whether they should be removed from office as urged by Mr.Bhakta.

7. Point No.(i).

On this point I have to submit at the outset that a decision regarding the nature of all the forty temples in question, i.e., whether they are community temples or otherwise, cannot be given on the basis of a memorandum submitted to the Government. The Board and the civil court will have to be moved by a petition or by a suit in respect of each individual temple under the appropriate provisions of law, and a decision arrived at after notice to all the parties interested in the temple and on a consideration of the evidence adduced in each case. The materials so far placed before the Board are insufficient to support the contentions of the Gowd Saraswat Brahmin Temple Trustees' Association. If any community or caste claims a temple as exclusively belonging to it, it has to be proved that the members of the community founded the temple and managed it from the date of its foundation up to date. On this important point the evidence so far produced is woefully lacking. The object of the Board in issuing the questionnaire to the President of the Association and the trustees of the temples in question was to find out if there was any evidence direct or circumstantial to show that the Gowd Saraswat Brahmin community could claim the sole ownership of these temples. Only 7 out of the 40 temples in question have so far submitted their replies to points I to II of the questionnaire, which relate to direct evidence in support of the claim; and even these replies are incomplete and do not give satisfactory answers. The President of the Association has also sent his reply to the questionnaire. (Copy enclosed - Enclosure I). There is no evidence to prove that the Gowd Saraswat Brahmin community had anything to do with the foundation of most of these temples in question. Even circumstantial evidence which was sought for in the replies to points 11 to 15 of the questionnaire, appear to be lacking in the replies so far received. There is nothing to show that the properties

the various temples in question were acquired by the community as such, for the benefit of the temples. The properties belonging to the temple at Manjeshwar are all registered in the name of the deity and their administration had been vested in a separate body of trustees who had nothing to do with the activitirs of the Gowd Saraswat Brahmin Community as such. The Gowd Saraswat Brahmin community is stated to be an advanced and well-organized community, owning properties for advancing its social and moral interests. This community's properties have been acquired in the name of the community and kept by the community. But as regards the Manjeshwar temple, there is nothing to indicate that the Gowd Saraswat Brahmin community as such, acquired properties for the temple and had kept them for its benefit. That Gowd Saraswat Brahmins have been trustees or managers of this temple might have been the result of some accident. The report of the Board's Assistant Commissioner discloses the fact, that the oracles in the temple had a predominant voice in determining who the manager shouldbe. In short, a perusal of the replies so far received, would indicate that the assertion of the President of the Association in his petition dated 20-10-44 as to the rights of his community over these temples, was made on mere assumption and not on the basis of any records to substantiate the claim. Further, he himself admits in his replies, that he can furnish only such information as he could collect by general enquiries among the public and the members of the Association and that the Board itself is in a more suitable position to get the particulars thorugh its official agency and must be in possession of relevant records and that he cannot furnish more information. In the absence of proof, therefore, in each case, that the particular temple in question was founded and managed by the community from its inception, it would not be proper for the Board to concede that these temples belong exclusively to the Gowd Saraswat Brahmin community.

8. In this connection attention is invited to my predecessor's letter No.59492-adm-2 dated 3-11-44 wherein it has been stated that the Board does not admit that the Manjeshwar temple is exclusively a Gowd Saraswat Brahmin temple. The Assistant Commissioner, Hindu Religious Endowments, Mangalore, was requested to furnish particulars on several points raised in the questionnaire and he has submitted his report (Copy enclosed - Enclosure II). The Assistant Commissioner's reports and the published books relating to the history of thetemple, would also show that the temple is a Siva temple and not a Vishnu temple. It has to be stated here that the Gowd Saraswat Brahmin community is a Vaishnavite community. It has also to be stated that the temple is one that is open to worship for every Hindu and that the land on which the temple is constructed, is poromboke land. The President of the Gowd Saraswat Brahmin Trustees' Association in answer to question No.15 of the questionnaire issued by the Board states, "I know of only 2 Srimad Anantheswar temples in our district, the one at Manjeshwar run by the Gowd Saraswath Brahmin community and the other at Udipi run by the Shivallis." By this assertion of claim to the temple at Manjeshwar a distinct attempt is now made to convert a leading Saivite temple into a Vaishnavite one. The main deity in the temple, as stated before, is Siva, which is in the form of linga and it is also an "Udbhava linga", that is, "Swayambu", which has existed long before the advent of the Gowd Saraswat Brahmin community into the district. The principal deity of the Gowd Saraswat Brahmin community is Narasimha, and Narasimha deities in this temple are all in movable metallic images only. It shows that the latter are of later introduction. The records of the Board, do not also lend support to the claim of the community in respect of the Manjeshwar temple.

9. Mr. Anantha Bhakta, a land-lord, and a member of the Gowd Saraswat Brahmin community and a relative of one of the previous trustees of the temple, asserts that this temple is not a Gowd Saraswat Brahmin community temple, but a Hindu temple open to all Hindus. There is also a fairly influential section of the Hindu public in Manjeshwar resisting the claims of the Gowd Saraswat Brahmin community to exclusive control of this temple, its properties and its finances. In this connection, attention is invited to a petition dated 12-12-44 presented by one Mr.Ramanath on 12-12-44 in camp and the notes of the Divisional Commissioner thereon dated 14-12-44. (Vide Enclosure III).

10. No doubt, in some proceedings in courts statements have been made that the Manjeshwar temple is one belonging to the Gowd Saraswat Brahmin

community. But in these proceedings, the members of the other communities were not parties and they had no opportunity to challenge this claim. It is true that in the Notification Proceedings before the Board in the year 1938 it has been stated in the annexure to the order of the Board No.530-H dated 28-1-39 deciding to notify the temple, that the temple is one of the most famous temples of a highly advanced community in South Kanara, the Gowd Saraswats. Here again, there was no issue on the point. When the Notification Proceedings were started, a suit (O.S.No.72 of 38, Sub Court, South Kanara) was filed by two persons in their capacity as representatives of the community, wherein, the same claim was put forward and it was stated that the Board had no jurisdiction to vest the management of a community temple in, and entrust it to, an executive officer who might even belong to any Hindu community other than the Gowd Saraswat Brahmin community. The suit filed in 1938 was withdrawn and was therefore dismissed. If the Gowd Saraswat Brahmin community were conscious that the temple belonged to their community exclusively, it is not apparent why they allowed the suit to get dismissed. It is doubtful whether the community can now have this matter agitated in a civil court. It is perhaps for this reason that they now seek to obtain by this memorial to Government what they failed to get in a civil court, thereby, indirectly trying to get rid of this legal difficulty.

11. Further, it is doubtful whether this Association can be considered as representative of the Gowd Saraswat Brahmin community, in putting forward this claim. This Association as well as the Council of Elders came into existence only about two years ago. This Association is said to be an association of trustees of Gowd Saraswat Brahmin temples, about 40 in number, registered under the Charitable Endowments Act of 1860. But in answer to question No.29 in the questionnaire sent out by the Board, the President of the Association says that 29 temples have "agreed" to be member and that only 15 temples have been able to contribute so far to this Association. Sri M.Anantha Bhakta, a member of this community referred to already, refutes the claim of this Association to represent the Gowd Saraswat Brahmin community of South Kanara and the signatories of the mahazars received by the Board (Vide Enclosure IV) from the Gowd Saraswat Brahmin residents of Udipi, Kumbla, Kasaragod and Manjeshwar would also appear to be unaware of the existence of this Association and to cast doubt on its representative character.

12. The President of this Association states, that of late, the Board has been following a retrograde policy in the matter of utilization of surplus funds of the temples in question. This statement is not correct, and is unfounded. It would appear that the statement has been made and instances are given in support of it in order to create prejudice or evidence to substantiate a possible claim later on. The Board has already sanctioned the appropriation of a sum of Rs.1500/- from the Manjeshwar temple for educational purposes (Vide Enclosure V). This provision has been increased in subsequent years. The following instances of the recent retrograde policy of the Board are given by the President of the Association:-

(1). Initial refusal of the Board to sanction the expenditure incurred by the Manjeshwar temple during the visit of the Guru of the Community to the temple;

(2) Refusal of the Board to permit the Executive officer of the same temple to become a member of the Association and .

(3) Refusal of the Board to pass certain items of expenditure in the budget of the temple for scholarships etc. to deserving members of the community.

As regards the first two instances, attention is invited to the remarks of my predecessor in this office letter No.59492-adm-1 dated 3-11-44. I agree with them and have nothing further to add. In respect of the third instance expenditure was not approved in the budget for want of full particulars as to whether the expenditure would amount to a diversion of the temple funds as defined under the Hindu Religious Endowments Act. On receipt of the particulars called for, the Board will pass suitable orders having regard to the best interests of the temple.

13. Lastly, the President of the Association requests the Government to allow the community as fully as possible to benefit from the surplus fund of the temple in question, for the religious, social and educational amelioration of the community, and asks that the Board should be directed

not to object to all the temples in question joining to establish and run a Vedantha Patasala which is stated to be an essential measure. In this office letter No.59492-adm-44-1 dated 3-11-44 it has already been stated that the Board and the Assistant Commissioner for South Kanara District would always be willing to avail themselves of, and give due weight and respect to, the views of the Association, whenever they are placed before them, or as and when deemed necessary. As regards the establishment of a Vedantha Patasala if the Board is moved by appropriate proceedings under the Act, it will, by virtue of the powers vested in it under the Act, pass such orders as are suitable in the circumstances of the case.

14. On point No.(1) therefore, I submit that the Gowd Saraswat Brahmin community are asserting rights in respect of the temples in question without adequate materials in support of their claim. It would be incompetent for me to recognise, or to concede, or to declare, in this correspondence that the temples mentioned in the list submitted by President of the Association, are temples belonging exclusively to the Gowd Saraswat Brahmin community. It is a matter that may have to be decided by the Board or the civil court in appropriate proceedings brought before them.

15. Point No.(ii)

The petitioner Mr.Ananda Bhakta has made various allegations against the Executive Officer and the Manager of the Manjeshwar temple; and he suggests that they should be removed and a fresh executive officer, preferably, a non-Brahmin, appointed instead. It must be stated, at the outset here that Mr.Bhakta has been sustematically trying to get rid of the Executive Officer by some means or other, consequent on personal ill will existing between the two, for a long time. I invite the attention of Government to my letter No.35418/44-2 Adm dated 14-9-44 ending with Government Memorandum No.32381F/44 P.H. dated 28-9-44 on the several petitioners of Mr.Bhakta complaining about the mismanagement of the temple by the Executive Officer. The allegations of Mr.Bhakta against the management of Manjeshwar temple have therefore to be taken with a good deal of caution. The Assistant Commissioner, H.R.E., who was requested to report on the petition of Mr.Bhakta has just submitted his report and it is under examination. The Assistant Commissioner reports that no definite chafges have been made against the manager and that no definite charges can be sustained or proved against the Executive Officer. It has to be stated however that the reply of the Executive officer to the questionna issued by the Board is very unsatisfactory and that it would appear as if a

the available information, has not been furnished by him. The Executive Officer's request to permit him to become a member of the Gowd Saraswat Brahmin Temple Trustees' Association in the capacity of Executive Officer of the Manjeshwar temple, was refused by the Board. He says that he is not a member of this Association. It is however seen that he is a member of the Council of Elders of the Gowd Saraswat Brahmin Parishad, whose activities are more or less similar to those of the Association. (Vide page 2 item 5 of the printed book of the memorandum of Association of the Gowd Saraswat Brahmin Parishad - Enclosure VI). After a scrutiny of the Assistant Commissioner's report and other papers, and further enquiry, if need be, the Board will take such action against the Executive officer and the Manager of the temple, in due course, as may be deemed necessary. But the present report of the Assistant Commissioner, South Kanara District, does not show that there are any acts of mismanagement by the Executive Officer or the Manager. The records of the Board would show that theadministration of the temple by the Executive officer has been fairly satisfactory, and not lacking in efficiency.

16. The petitions forwarded by the Government are herewith retransmitte

I have the honour to be,
Sir,
Your most obedient servant,

President.

Enclosures: 10
KG.

Enclosure 1

THE GOWD SARASWATH BRAHMIN TEMPLE TRUSTEES' ASSOCIATION
(Regd. Under Act XXI of 1860)

Rao Bahadur
Dr.M.Kesava Pai, O.B.E.,M.D.,
President.
M.Venkatesh Pai,
Hon.Secretary & Treasurer.

"Woodside" Karnad Sadasiva Rao Road
Mangalore 15-2-1945.
(S.India)

From

Rao Bahadur Dr.M.Kesava Pai, O.B.E.,M.D.,
President Gowd Saraswath Brahman Temple Trustees
Association, Mangalore.

To

The Secretary,
Hindu Religious Endowments Board;
Madras.

Ref:- Your Letter No. 59492/44-12-Adm of 30-1-1945.
Sub:- Administration of H.R.B.Temples- South Kanara District-
Representations to Government- Questionnaire.

Sir,

Before I proceed to answer the questionnaire sent by you, which seems to be a very elaborate and exhaustive one, I must invite your attention to certain facts. The Gowd Saraswath Brahman Temple Trustees Association is a voluntary organization for religious and social work, with no elaborate office establishment or agency for making the enquiries, which the Board, with its elaborate establishment and under the Hindu Religious Endowments Act can much more easily make up now through the office of the Assistant Commissioner for South Kanara.

I am now glad to find that such enquiries are being made through a questionnaire which the Assistant Commissioner of South Kanara has issued.

Under the articules of the Gowd Saraswath Brahman Temple Trustees' Association it is specifically stated that the Association will not interfe with the internal management of the temples, with their constitution or their rights. The duties of the Association are to give advice with regard to worship and ceremonials and pool the surplus amounts which the temples could spare for the spiritual, religious and social uplift of the community at large with the object of preventing overlapping and waste and helping them in the best method of utilization of such funds by a mutual consultation and cooperation amongst them. The Gowd Saraswath Brahman Temp Trustees' Association will not therefore go out of its scope of work by calling for legal documents, pattas etc., which the answering of your questionnaire entails. The Board itself are in a much more suitable position to do this work through its official agency and the Assistant Commissioner at Mangalore.

In the answering of the questionnaire I shall therefore restrict myself to such matter as I have been able to collect by general enquiries amongst the public and from the members of the Gowd Saraswath Brahman Temple Trustees' Association.

Question 1 and 2.- I do not know.

Questions 3 to 10.- Please enquire of the Executive Officer of the Temple who is under your direct control. He must have the records with him.

Question.11. - Yes, The Gowd Saraswath Brahman community is a well organized one. There is a large number of temples and schools run by the community, e.g., the Canara High School, Mangalore; Temple High School, Bantwal; Girs' High School, Karkala; Higher Elementary School of Manjeshwar Bhuvanendra Vidyashala of Karkal; the Elementary Sanskrit Patashala of the Venkatramana Temple of Mangalore, the Nigamagama Patashalas at the Mangalore, Manjeshwar etc., temples.

Question.12.- The temples themselves serve the functions of choultry, water pandal etc., through their Shalas, -though water pandals do exist in connection with some old G.Saraswath houses in the district

p.t.o./

Question.13.- Yes, e.g., (1) The Sri Bhuvanendra Sanskrit Vidya Shala of Karkala gifted by Sri K.P.Kamath, the grand father of the present Executive Officer of the Manjeshwar temple, (2) Gift of a property by Dr.A.Purushottam Pai of Bombay to the Besant National Girs' High School of Mangalore. (3) Gift of a landed property by Sri Krishna Bhagath of Tellichery to the Hindu Orphanage of the Hindu Seva Sangha (5) gift of house and land worth about Rs.25,000/- by Sri M.Venkatesha Pai, Banker of Mangalore to the Hindu Orphanage of Mangalore. There must be others not known to me. Question:14.- There are several in the district, probably 20 or more. I know of one Venkatramana Temple in Mangalore owned and managed by the Vani
Question.15.- I know of only 2 Srimad Anantheswar temples in our district. the one at Manjeshwar run by the Gowd Saraswath Brahman Community and the oth run by the Shivallis at Udipi. I do not know if the Gowd Saraswath Brahman Community has any other Anantheswar temple in South Kanara, but it owns the Chandramoulishwara Temple at Mangalore.

Questions 16 to 25.-- Please enquire of the Executive Officer of Manjeshwar for details. From general enquiries & historical evidence I find that the "Vittal Hegde" referred to by you in question 17 was a Hegde of Chieftain of Vittal, a place about 20 miles from Manjeshwar, who raided and looted the temple about 1800 A.D. and could not therefore have been the owner. The ownership of the Manjeshwar temple by the Gowd Saraswath Brahmen Communit has never been questioned as far I have been able to ascertain. The late M.Padmanabha Bhat (Gowd Saraswath Brahman) and Sri M.Govinda Pai (Gowda Saraswath Brahmin) were the Plaintiffs in the Scheme Suit of 1920. The question of ownership of the temple was not contested in the suit. Prior to the disposal of the Scheme Suit (questions 24 and 25) of 1920 and the nomination of the new trustees by the Sub Court, the temple was managed by a set of hereditary Gowd Saraswath Brahmin Trustees and therefore it was not subject to the G.S.B. Temple Committee control or any other committees' control. There are numerous references in the proceedings of the District Court to say that the Manjeshwar Temple belongs to our Gowd Saraswath Brahman Community alone.

Questions 26 and 27.-- The Gowd Saraswath Brahman Temple Trustees' Association as an organized body has existed since November 1938 when the Temple Entry question had to be discussed and decided by the Gowd Saraswath Brahman Community tempåes in joint consultation. As an organized body it was started in July, 1943 and registered in December 1943. The Association was started by the trustees and leaders of the community under the Presidency of His Holiness the Swamier of Kashi Mutt Samasthanam in July 1943 at a public meeting in the Mangalore temple. There are a number of associations in this district and outside designed to promote the welfare of the community. Though many of them have a local sphere of activity, some aim at the welfare of the whole community wherever existing e.g. (a) The Gowd Saraswath Brahman Parishad started in 1907 by the late A.Subba Rao Pai of Mangalore organized in November 1939 and registered in 1941. Its Headquarters is in Mangalore., (b) The Gowd Saraswath Brahman Seva Sangha started and registered in 1938 with Head Quarters in Mangalore, (c) The Samyukta Gowd Saraswath Sabha of Madras started in 1912 (d) The Gowd Saraswath Brahman Scholarship League of Bomaby started in 1912. There are others, I understand in Travancore, Malabar, North Kanara, Dharwar etc.

Question 28.- The trustees of the different temples of the community in South Kanara with a President appointed by His Holiness of Swamier of Kashi Mutt (who is a recognized spiritual Guru of the community).

Question29- About 29 temples have agreed to be members of the Gowd Saraswath Brahman Temple Trustees Association. There is no subscription for membership, but each temple is asked to contribute whatever it could conveniently spare from its surplus funds for the welfare of the community religious, spiritual and social. Non payment of a contribution does not exclude a temple from membership. As a matter of fact only 15 temples have been able to contribute so far. The contribution is from the temple funds and not from private funds.

Question 30.- The present President is Rao Bahadur Dr.M.Kesava Pai, O.B.E. who has been appointed by His Holiness the Swamier of Kashi Mutt under the rules of the Association.

Question.31.- The Council of Elders is a body of about 40 prominent members of the community in various parts of India who are elected by the Gowd Saraswath Brahman Parishad.

Question 32.- It was elected by the Gowd Saraswath Brahman Parishad in 1939 for the first time and has continued since then.

Questions 33 & 34.- As said under answers to questions 26 and 27, t__ Gowd Saraswath Brahman Parishad is the general body representing the whole community in all parts of India and overseas for the general welfare of the community. The Council of Elders is the Executive of the Parishad. The Parishad conferences have met in 1907, 1908 and annually since 1941.

Question.35.- I understand that the usages with regard to pooja at the Manjeshwar temple are identical with those in other Gowd Saraswath Brahmin temples.

Question.36.- Narashimha seems to be the chief deity at the temple of Manjeshwar. I do not know when it was installed.

Question.37.- Naivedyam of uncooked rice seems to be offered to Anantheswar, and thereafter thrown to the Ganas.

Question.38.- Coocked rice and other eatables are offered to the deities of Narashimha, Garuda, Hanuman, Lakshmi and Vigneshwar. These are given to the priests etc., in accordance with the customs and usage of the temple.

Question.39.- Gowd Saraswath Brahmins worship both Vishnu and Siva. They are daid to have been Saivites and Sakti worshippers centuries ago and they continue Siva worship even after their conversion by Sri Madhwacharya to the Vaishnava cult. The community has 3 mutts. The followers of 2 mutts are Madhvites and the third Mutt continues to be Smartha.

Question 40 and 41.- There are over a dozen temples in Goa from where the Gowd Saraswaths originally migrated. Of these some are Saivite and others Vaishnavite deities. Mangesha, Negesha, Ramnatha etc., are Lingas. Mahalasa is most probably Sakti. Narashimha, Damodara, Devaki Krishna etc., are Vaishnavite deities. I know of no Venkatramana Deity at Goa. It was after migration to the South that the Gowda Saraswaths began to worship Sri Venkatramana.

Yours faithfully,
(sd) M.Venkatesh Rai.

/True Copy/

R.No.2078/44-1 dated 10-1-44.

Office of the Asst.Commr.H.R.E.
Mangalore, South Kanara District.

Sri K.C. Nambiar, B.A.,
Asst.Commr.H.R.E. Mangalore

To The Secretary,
H.R.E. Board, Madras.

Sir,

With reference to the questionaire handed over to me by the Divisional Commissioner, I camped at Manjeswar on 23-12-44 and 24-12-44 and beg to submit the following answers to the various questions with regard to Srimad Anantheswar temple, Manjeswar after consulting the Executive Officer and the manager of the temple and also some of the elderly people who are connected with the temple in some way or other.

A memo has been issued to the Executive Officer to clarify and produce records with regard to certain questions and further report will be submitted on receipt of the reply from the Executive Officer

QUESTIONS

1. When was the temple founded? That is, when did the worship commence in the temple?

It is not possible to say when the temple was founded and when the worship was commenced in the temple. The Lingam of Sri Anantheswar is said to be a Swayambu and it is not known when the Linga appeared on Earth. A book called "Manjula Kshetra Mahatmyam" was handed over to me by the Executive Officer of the temple. It is in Sanskrit. The book contains some chapters from Skanda Puranam.

The chapetrs are taken from the "Sahyadri Kanda" of the said puranam and the Executive Officer identifies the present Manjeswar Temple with that mentioned in the Skanda Puranam and there the temple is mentioned as dedicated to SHESHA & VASUKI. The very fact that the chapeters are from Skanda Puranam proves beyond doubt that it is a temple dedicated to Lord Subramanya and is a Shiva Temple.

Further the Executive Officer says that the earliest reference regarding this temple is found in the book called "Madha Vijayam" wherein it is mentioned that Madavacharya passed a Chaturmasya at Sri Kanva Thirtha about 2 miles away from the temple and that there was a solar eclipse in the course of that Chaturmasya. During the period Madhvacharya simply came and went round the temple and did not enter the temple. The said solar eclipse is supposed to have occured in the years 1293 to 1300 and hence the origin of the temple is reported to be before 1300 A.D.

The image of Narasimhas in the temple are all made of metal and hence it is quite clear that they must have been installed long after the Swayambu Lingam of Anantheswar.

Even according to Manjula Mahatmyam the first man who saw the temple is Virupaksha who is described as : तस्य पुत्रोऽति तेजस्वी विरूपाक्षो महाप्रभुः। महासत्वो महातेजो साक्षादंश त्रिशूलिनः॥ (the very incarnation of Lord Shiva). This shows clearly that it is a siva temple. In the same Purana it is stated that even "Thurushkas" (Turks) came and worshiped in the temple. This shows the temple was open for worship for everybody.

BHOOTA POOJA is done in this temple and this is not done in any of the Venkatramana temples. In all other Venkataramana temple as soon as the pooja is over i.e. after the second arathi "Krishna arpanam" is done and the Archaka comes out. But in Manjeswar temple the "Avahana" which is done to God is retaken ie. "Punarvahana" is performed through the process of Tatvanyasam Anganaysam Karnanysam etc. which is not done in Venkatramana temples.

2. Who found the temple?

It is not possible to say who founded the temple. The origins of the temple is wrapped in mystery. Even in Skanda Puranam it is not clearly stated when it was founded and who founded the temple.

3. Where is the temple constructed? It is constructed on Village poromboke land or non patta land? If it is constructed on patta land, in whose name does the patta stand? If the patta stads in the name of the deity, is there any documents to show the date on which the patta was transferred to the name of the deity?

The temple is situated in a poromboke land free of assessment The patta stands in the name of the Deity and in some pattas it mentioned as Subráya Devaru, But no records were given to me by the Executive Officer in this connectionn.

/p.t.o/

4. In whose name did the patta stand prior to the date of such transfer?

It is not possible to say in whose name the patta stood prior to the date of trasnfer in the name of the deity or not, because the term "Patta" was not in vogue then.

5. Is there anything to show that the land on which the temple stands together with the surroundings was bought by any one on behalf of the community for the purpose of building the temple?

There are no documents to this effect available in the temple office.

ENDOWMENTS.

6. Are there endowments to the temple? If so, specify the number of such endowments and the name of the donors.

There are number of endowments in cash as well as properties. The main endowment of the temple are about 50 in all and mostly they are made by G.S.B. community.

7. Have lands been bought for the temple by those in management? If so, specify the number of such items together with the date of such purchase.

It is not possible to give all the details within a short time. The Executive Officer says that he will furnsih it later. It is stated that during the regime of Ramachandra Shanbhogue lot of lands were purchased. The Executive Officer has been asked to furnish details of endowments have been left by Bangaraja Hedge, Vitalada Arasa and Rani Chennamaji and Raja of Kumbla.

8. Who represented the temple in those transactions.?

The ten trustees of the temple represented in all transaction on behalf of the deity.

9. Is there any statement either in any of the deeds of endowments or in any of the documents evidencing purchase or sale of lands by the temple, that the temple is one belonging to the community?

The Executive Officer has been asked to search the records and give the informations.

GENERAL.

10. Is the community of Gowda Saraswaths a well-organised community owning its own properties for the purpose of advancing its own social religious and moral ends?

Yes.

11. Is there any land or choultry or water-pandal or any other institution in South Kanara District owned by the G.S.Community as such?

The Manjeswar temple itself provides every convenience to Bairagis etc. by giving food and boarding whenever convenient.

12. Is there any instance of any purchase or gift of land or other property, the income out of which is to be utilised solely for the upkeep of an institution designed to advance position of the community or satisfy its needs?

The manager of the temple says that reports will be submitted after going through the records of the temple.

13. How many Venkatramana temples are there in the District?

Are there Venkatramana temples in the district owned or managed by any indigidual or community other than the G.S.?

So far as known to the Board there are 22 Venkatramana temples all managed by G.S.B.Community.

14. How many Srimad Anantheswar or Sri Madanatheswar temples are there in the District.? If there are many, do the G.S.Bs.claim to have control over all these institutions? If not, in respect of which of these Anantheswar temples (Shiva temple) do the G.Saraswaths lay claim to?

There are two temples i.e. Anantheswar temple, Manjeswar and Anantheswar temple, Udipi. The temple in Udipi is generally called Ananthasana. There is another temple called Vittal Anantheswar which is an imitation of Manjeswar temple.

It is only in respect of Manjeswar temple the G.S. Bs, lay claim;

15. SRIMAD ANANTHESWAR TEMPLE, MANJESWAR; will the accounts of the temple at Manjeswar reveal that the management of the institution had been at any time in the hands of non-Gowda Saraswaths?

The Executive Officer was not able to give any document to this effect.

16. Is there anythig in the temple records to show that some where about in 1800 A.D. one Vittal Hedge, a non-bhahmin chief, had control over this institution?

The Executive Officer says that there are no records to this effect. It is stated that he plundered the temple, Ganapathy Shrine, the Car etc.

17. Is there any instance where the G.S.Bs. asserted that th Srimad Anantheswar temple at Manjeswar belonged to that community and the assertion was denied by members of any other community?

The Executive Officer says that there is no such claim as far as he knows. Perhaps some clue may be got by a perusal of the records in O.S. 37/20 which is in the Board's Office.

18. Had there been any instance of any litigation between Gowda Saraswaths and Non-Gowda Saraswaths touching the question as to ownership of management of this institution?

No. Suits were filed btween the community themselves.

19. Who were the plaintiffs and who were the defendants in the scheme proceedings in 1920. Was the question as to ownership of the temple raised in that suit and was an issue framed in respect of it?

The scheme records have already been handed over by the Executive Officer to the Divisional Commissioner and the same may be perused.

20. Was there a suit in the year 1938 filed by the members of the G.S.Bs. Community asserting that the temple belonged to their community and for a declatation to that effect? If there was such a suit, how was it disposed of?

21. In the same year was there another suit for the modification of the scheme? If there was, how was this disposed off (Copies of plaint written statement and order of court to be sent to the Board)

22. At the time of the Notification Proceedings, did the G.S.B. Community raise the objection that the temple was not liable to be notified as it was a temple belonging exclusively to their own Community. When, after the notification, the Board appointed an Executive Officer and refrained from appointing trustees, did any one on behalf of the G.S.B. Community raise the claim that the G.S.B. Community must be associated in the management?

Answers 20 to 22: The records handed over by the Executive Officer and the records of the Board office may be perused.

23. Were there trustees for the institution?

Were they functioning by virtue of any hereditary right or any order of appointment passed by any authority? If they held their office by virtue of any appointment order, was the order passed by G.S.Temple Committee when it was functioning in the Dt.?

There were trustees as well as managers. The managers were appointed by the Oracle. The trustees most of them were influentia and powrful land lords of the locality and they by means of their influential influence got possession of the temple. No records produced to show that they were functioning by hereditary right. The temple has no Tasdic and there are no records to show that any committee exercised any control over the temple.

24. Had there been any instance of any temple committee other than the G.S.Temple Committee exercising jurisdiction over this institution?

No records were available to prove this.

GOWDA SARASWATH TRUSTEES ASSOCIATION.

25. When was this Association started and by whom?

The Association was registered on 13-12-43 in Mangalore "VIDE ENCL." "A" (Certificate)

26. Before the formation of this Association was there any such Association in the District? Is there any association in the Dt. designed to promoted the welfare of the whole community? If so, give the name of the association and the date on which it came into existence.

Yes. Vide Encl. "B" G.S.B. Seva Sanga (B1) G.S.B. parishad and other activities and object of the different Sangas may also be perused from Enc: B2.

27. Who are the members of the G.S.Trustees association?

Please Vide Enc: "C"

28. Are the trustees of all temples members of the Associaltion and do they pay any subscription to the Association? If so, how much do they pay? Is it from the Temple funds or from their private funds?

/p.t.o/

Different members will have to be addressed in the matter.
29. Who is the President of the G.S.Trustees Association?
Rao Bahadur Dr. M.Keshava Pai, O.B.E.

COUNCIL OF ELDERS:

30. Who are the members of the council of elders?
Please vide EncL "D".
31. When was it started and by whom?
It is the standing committee of the .S.B.Parishad.
32. Was there any body or association in existence prior to that date of similar type and what were its functions?
Formerly there was an Association called G.S.B, temple committee as an advisory body for the temples.
33. What are the functions of the Council Elders?
Function those mention in EncL.B2, B1.
34. Are the usages as regards pooja etc. in Manjeswar temple the same as those that obtain in the G.S.Temple?
No. Even though Pancharathra Agama is followed to a certain extent there are some differences in the method of Puja (vide question No.1) Skanda Sahsti is performed in Manjeswar.
It is not done in any Venkatramana temples.
35. Is there a Narasimham deity installed in Manjeswar temple. If so, when was it installed. Is prominence given to it?
There are Number of Narasimha Deities installed i.e. Bhadra Narasimha, Laxmi Narasimha, Karala Narasimha, Utsava Narasimha, Ugra Narasimha. All these were installed after the Swayambu Lingam of Anantheswar.
36. Is naivedyam offered to Anantheswar (Shiva Linga?) If so, what is the Naivedyam? Is it cooked rice or raw rice. To Whom is it offered afer it is offerd to Anantheswar and do they eat it?
Raw rice being offered as Naivedyam to Anantheswar and afterwards the same rice is distributed to the Bhoota ganas round the temple. Cooked rice is also offered as Naivedyam to the Rudra Deva behind the main temple and is given to the Sudra woman after offering.
Only on the day of Anantha Nopi day the cooked rice offered to Anantheswar is eaten by the G.S.B. Community and it is belieded that Vishnu Kala comes to Anantheswar on that day.

Your obedient servant,
(sd) K.C.Nambiar,
Asst.Commr.

Enc: 6.

/true copy/

RT.11/4.

Before the President, The Hindu Religious Endowments Board, Madras, Camp - Mangalore.

The undersigned feel it a sense of their duty to approach and interview the President with a request to allow the President and the working committee of the Samaja Seva Samithi a very representative association of the whole Hindu community in every socio-religious matter. This Association was founded by some leading lawyers of Mangalore twelve years before. It has on its roll nearby five x thousand members scattered all over the District. It has roused the corporate consciousness of the Hindu Community. It has always fought communalism of every type successfully. Its achievement hitherto in safe-guarding the interest of the Hindu community against the onslaught on it by others has been remarkable. Its membership is thrown open to all members of sub sects- irrespective of caste, within the Hindu fold, persons of either sex, educated as well as uneducated. The revolutionary as well as evolutionary elements of the Hindu community meet under its auspices for the common good of the community

The samaja seva samithi has read with great alarm in the local papers that some influential persons comprising of vested interests and used to monopolise power and money from among the members of the Gowd Saraswath Brahmin Community shall wait upon the President Hindu Religious Endowments Board with a deputation to communalise the Shrimad Anantheswar temple, Manjeshwar from top to bottom. They will wait upon in the name of the Gowd Saraswath Brahmin Temple Trustees' Association as well as on behalf of the Council of elders. These two bodies, our Association, asserts, are self nominated, self-styled and they have never been known as xx representatives of the Gowd Saraswath Brahmin community. Their existence, can only be traced to a couple of years. We hear some retired people in association with one or two rich men have formed themselves x into the above bodies with a view to pool up the financial resources of various temples to the advantage of their clique. The Samaja Seva Samithi affirms that the Shrimad Anantheshwar Temple of Manjeshwar is a Hindu Community temple and not one of the Gowd Saraswath Brahim community alone as can be seen in the order the Board annexure No.O.A.76 of 1941 dated 6.12.1941. This order of the Board was very just and the Samaja Seva Samithi broadcasted this order to all its members the moment it was brought to its knowledge. Most of the Endowments in the temple are from communities other than the Gowd Saraswath Brahmin, most of the services rendered to the temple are also from other communities, even the Harijans and other scheduled castes have their endowments in the temple. The Hindu Religious Endowments Board during the last six years of its administration of this temple by its present Executive Officer has been partly responsible for the so called communalism which has roused the abov association to wait on a deputation. In the name of the vast bulk of the Hindu Community which this Samaja Seva Samithi represents, this Samithi implore the President to replace the Executive Officer by one other than a member of the Gowd Saraswath Brahmin Community. It further implores that in the staff during the last five years has been mostly Gowd Saraswath Brahmins and it has given an impression that this is a Gowd Saraswath Brahmin community temple. The staff is to be changed. Members of all communities in proportion to the strength of the communities at the place must be recruited. The Manager, who is also a member of the Gowd Saraswath Brahmin Community has to be replaced, This Samithi requests the President to see that these top officers, the Manager and the Executive Officer are transferred to some other place and new ones from other communities are brought in their place. The Executive Officer is a known communalist and to stabilise his position he has been instrumental in floating another association known as Gowd Saraswath Brahmin Trustees' Association as well as the Council of Elders and he has recently convassed the support of some of the temples trustees of the very community to perpetuate the hold of the community over this temple and strengthen his position in Manjeshwar.

/P.T.O/ -

He has never been popular in Manjeshwar. His regime has brought about considerable amount of communalism in Manjeshwar where there was none. His very request to the Board to have his office in Mangalore pre-supposes his unpopularity at the place and his incapacity to administer the temple without any opposition from other communities. Some of the leading members of the Gowd Saraswath Brahmin community are with this Association Its administration has never been to the advantage of any community within the Hindu fold. His movement and conduct are not free from criticism in truly disinterested quarters. Should the President be pleased to hold an enquiry either at Mangalore or at Manjeshwar, provided a week's time is given to this Samaja Seva Smithi, it shall be in a position to substantiate every statement it has made in this request The Association hopes its grievances shall be redressed, the executive officer immediately transferred; the Manager replaced; the staff non-communalised. A perusal of the permanent endowment register of the temple shall convince the President of its non-communal character and the expenditure, which is now top heavy, has never been on communal basis. In the name of economy the Executive Officer had dispensed with the services of many belonging to communities other than Gowd Saraswath Brahmin.

Sd./- M. Ramanath
President,
Samaja Seva Samitni.
Post Jappu,
Mangalore.

Mangalore,)
11.12.1944.)

/TRUE COPY/

VG.

NOTES OF COMMISSIONER-II. 14.12.44 84

Interviewed. Mr. Ramnath and Mr. Bhat re: Manjeshwar temple. Mr. Bhat was appointed as a trustee of the Board in 1938, just before the Notification He says that (1) between 1801 and 1821 when the village was invaded and conquered of Vittal Hegde the temple was under the control of the conqueror for over 4 years, (2) Revenue record prior to 1801 if examined would reveal that the patta of the land on which the temple is constructed stood - the name on [redacted] of some Haivite Brahmins - and not in the name of Gowd Saraswath community, (3) In 1938 there was a suit filed.- The Dt. Court (a) to declare that the temple was a temple belonging to a community and (b) for the modification of the scheme. In the suit the Board was a party defendant - the suits were withdrawn - and there was a compromise. The temple was notified - The

/p.t.o/

Point is now taken that the notification chapter relates to temples i.e. public Hindu temples and the notification was on the assumption that the temple is a public Hindu temple - the notification and the rules as do not make any reservation at all and this has remained unchallenged for over 5 or 6 years.

Mr. Bhatt has promised to try to get at records kept of Vittal Hegdes people.

/True Copy/

VG.

To

The President,
Hindu Religious Endowments Board,
M a d r a s.

Memorial of the Gowd Saraswat Brahmins residing in ~~Manjeshwar~~
Manjeshwar, South Kanara.

Sir,

We are given to understand that recently a deputation consisting of some gentlemen from Mangalore waited upon His Excellency's Adviser for Education and Public Health Department, posing as spokesmen on behalf of the Gowd Saraswat Brahmin Temple Trustees' Association. We regret to note that so far no details of the proposals made by them are available to the Gowd Saraswat public who are interested in their temples. It was a surprise to us to hear of such an Association. Whatever might be their object, we hereby submit, that no such Association has been formed and no one is entitled to assume such authority without properly constituting such an organisation, however weighty they may be.

We pray therefore that any representations made by the four gentlemen, may be taken only as the opinions of individuals of our community which is perhaps 5 to 6 lakhs in number.

Sd.M.Vaman Keishna Nayak, Land Holder.
" M.Rugunath Baliga, Merchant.
" M.Rayappa Prabhu, merchant.
" M.Narasimha nayak.
" M.Subraya Prabhu, Govt.Pensioner.
" M.Upendra Shenoy.
" in Kanarese.
"M.Ramachandra Shenoy.
" M.Narayana Kamath.
" M.Santhayya Kini.
" M.Narasimha Bhatta, Ramchandra Ayurveda Shala.
" Gopalakrishna Mallya.
" K.Rangappa Naik, Land-lord.
" M.Anantha Nayak, cloth merchant, Manjeshwar.
" B.M.Madhava Kamath, merchant.
" B.M.Anantha Kamath, Merchant and Land-lord
and 27 others.

(True Copy)

KG.

To

The President,
Hindu Religious Endowments Board,
M a d r a s.

Memorial of the Gowd Saraswat Brahmins residing in ~~Kanjeshwary~~
Kumbla, South Kanara.

Sir,

We are given to understand that recently a deputation consisting of some gentlemen from Mangalore waited upon His Excellency's Adviser for Education and Public Health Department, posing as spokesmen on behalf of the Gowd Saraswat Brahmin Temple Trustees' Association. We regret to note that so far no details of the proposals made by them are available to the Gowd Saraswat public who are interested in their temples. It was a surprise to us to hear of such an Association. Whatever might be their object, we hereby submit, that no such Association has been formed and no one is entitled to assume such authority without properly constituting such an organisation, however weighty they may be.

We pray therefore, that any representations made by the four gentlemen, may be taken only as the opinions of individuals of our community which is perhaps 5 to 6 lakhs in number.

Kumbla,
Kasaragod, Taluk,
Date.12.12.44.

Sd.K.Krishna Shenoy and 10 others.

(True Copy)

KG.

To

The President,
Hindu Religious Endowments Board,
Madras.

Memorial of the Gowd Saraswat Brahmins residing in ~~Manglore~~
Udipi, South Canara.

Sir,

We are given to understand that recently a deputation consisting of some gentlemen from Mangaloro waited upon His Excellency's Adviser for Education and Public Health Department, posing as spokesmen on behalf of the Gowd Saraswat Brahmin Temple Trustees' Association. We regret to note that so far no details of the proposals made by them are available to the Gowd Saraswat public who are interested in their temples. It was a surprise to us to hear of such an Association. Whatever might be their object, we hereby submit, that no such Association has been formed and no one is entitled to assume such authority without properly constituting such an organisation, however weighty they may be.

We pray therefore that any representations made by the four gentlemen, may be taken only as the opinions of individuals of our community which is perhaps 5 to 6 lakhs in number.

Sd.C.Krishnadas Prabhu, Udipi, trustee and 26 others..

2 (True Copy)

KG.

To

The President,
Hindu Religious Endowments Board,
M a d r a s.

Memorial of the Gowd Saraswat Brahmins residing in Manjeshwar
Kasaragod, South Kanara.

Sir,

We are given to understand that recently a deputation consisting of some gentlemen from Mangalore waited upon His Excellency's Adviser for Education and Public Health Department, posing as spokesmen on behalf of the Gowd Saraswat Brahmin Temple Trustees' Association. We regret to note that so far no details of the proposals made by them are available to the Gowd Saraswat public who are interested in their temples. It was a surprise to us to hear of such an Association. Whatever might be their object, we hereby submit, that no such Association has been formed and no one is entitled to assume such authority without properly constituting such an organisation, however weighty they may be.

We pray therefore that any representations made by the four gentlemen, may be taken only as the opinions of individuals of our community which is perhaps 5 to 6 lakhs in number.

Sd.K.Hariraya Kamath and 9 others.

(True Copy)

KG.

V

Before the Board of Commissioners for Hindu Religious Endowments, Madras

6th day of December 1941.

Present:-
1. Dewan Bahadur Sri T.M.Narayanaswami Pillai, M.A.,B.L., President.
2. Sri P.Kameswara Rao, M.A.,B.L.,
3. Rao Bahadur Sri C.M.Ramachandran Chettiar, B.A.,B.L. } Commissioners.
4. A.S.Pannadi Nair, Esq.,B.A.,B.L.,Barrister-at-Law,

O.A. No. 76 of 1941.

In the matter of Srimad Anantheswar temple, Manjeshwar, Kasaragod Taluk, South Kanara District.
Proceedings under section 67 of the Madras Hindu Religious Endowments Act, 1926, (Madras Act II of 1927) to divert the surplus funds of the above temple for the maintenance of a Higher Elementary school in Manjeshwar, Kasaragod Taluk, South Kanara District.

Board's Order No.5114-B dated 6-12-41.

This case having come on for final hearing on 6-11-41 in the presence of Sri K.P.Sarvothamarao, advocate, and having stood over for consideration till this day, the Board after considering all the materials placed before it, passes the following:-

O r d e r.

The Board hereby declares that a sum of Rs.1,500/- out of the surplus funds of the temple of Srimad Anatheswar temple, Manjeshwar Kasaragod Taluk, South Kanara District, be diverted and appropriated

P.T.O.

by the temple trustees for educational purposes. The Board further directs that in the institution for the maintenance of which the temple funds are to be diverted, the study of the Bhagavad Gita must be made a compulsory subject.

Sd. A.Balakrishnan,
Secretary.

Note:-A copy of the annexure to this order containing the grounds of the above decision will be furnished on receipt of a copy application duly stamped with ~~xxx~~ a two annas court fee stamp together with copying and postal charges amounting to Rs.2-6-0

To
1.Sri K.P.Sarvothamarao, Advocate, 46, Big St., Triplicane, Madras.
2.Sri K.P.Kamath, Executive officer, of Sri etc.
3.Sri K.Gopala Rao, Advocate, Mangalore.
4.Sri P.Padmanabha Kamath, Ayurvedic Physician, "Sri Bhuvanendra Aushada Mandir", Manjeshwar, Kasaragod Taluk, S.Kanara District.
5.Sri M.Anantha Bhaktha, Land-lord, Manjeshwar, etc.
6.The Inspector, H.R.E. Mangalore, with an extra copy for publication and report.
7.Adm.Section with a copy of annexure.
8.Rev.Section with a copy of Do.
9.B.C.File with a copy of Do.
10.Extra.

(True Copy)

KG..

QUESTION NO.26. Encl:No.B1.

The Gowd Saraswath Brahman Parishad.

MEMORANDUM OF ASSOCIATION.

1. The Society shall be called the Gowd Saraswath Brahman Parishad, hereinafter known as the Parishad.

2. The Registered Office of the Parishad shall be situated in the province of Madras.

3. The objects for which the Parishad is started are:—

(a) The religious, moral and social advancement of the Gowd Saraswath Brahman Community.

(b) In particular, and without prejudice to the generality of the object,

(i) the diffusion of Sanskrit Culture, and the study of Hindu Religion,

(ii) promotion and management of institutions for carrying out object (a),

(iii) conservation of funds collected in the past for religious or moral advancement of the community, and diversion to suitable objects by the application of the cypres doctrine of funds collected for objects which are now useless or unnecessary, and

(iv) strengthening the time honoured institutions of the community.

(c) To collect donations and subscriptions, to invest the same in Banks, in shares of good Companies, or in lands or buildings, or in any other suitable manner, and to acquire property movable and immovable for the Parishad by lease or hire, sale or exchange,

to erect buildings for the use of the Parishad and to let on lease or hire or alienate by sale, mortgage or exchange the property movable and immovable of the Parishad and to raise money by debentures.

(d) To start branches of the Parishad in and outside the Presidency of Madras.

(e) To do all such and other things as are incidental to, or as may be deemed necessary, or conducive, to the promotion, furtherance, or development of all or any of the above objects.

4. The Parishad shall be managed by the committee known as the Council of Elders. The following persons whose names, addresses and occupations have been described herein below shall form the members of the first Council of Elders to whom by the rules of the Parishad the management of its affairs is entrusted:—

1. Ammembal Srinivasa Pai, B. A., B. L., adopted son of Ammembal Narayana Pai, Gowd Saraswath Brahman, Advocate, Kasaragod.

2. Hattangadi Lakshminarayna Kamath, s/o H. Ramakrishna Kamath, Merchant and Landlord, Gowd Saraswath Brahman, Ganguli.

3. M. Ramachandra Pai, B.A., L.T., s/o M. Vaikunta Pai, Gowd Saraswath Brahman, Retd. Head Master, Mangalore.

4. M. Venkatesh Pai, adopted son of Sowcar M. Ranga Pai, Banker and Landlord, Gowd Saraswath Brahman, Mangalore. Representing the Mangalore Sri Venkatramana Temple.

5. K. P. Kamath, M. A., B. L., s/o Karkal Subraya Kamath, Gowd Saraswath Brahman, Executive Officer, Srimad Anantheshwar Temple, Manjeshwar. Representing the Manjeshwar Temple.

6. P. Vittal Shanbhogue, adopted son of Krishna Shenoi, Gowd Saraswath Brahman, Managing Trustee, Sri Venkatramana Temple, Mulki. Representing the Mulki Temple.

7. Bantwal Venkatesh Baliga, s/o B. Sarvothuma Baliga, Ayurvedic Physician, Gowd Saraswath Brahman, 1st Moktessor, Sri Thirumala Venkatramana Temple, Bantwal. Representing the Bantwal Temple.

8. Renjal Goverdhana Shenoy, s/o R. Vaikunta Shenoy, Gowd Saraswath Brahman, Trustee, Sri Venkatramana Temple, Karkal. Representing the Karkal Temple.

9. Rao Bahadur Dr. M. Kesava Pai, O. B. E., M. D., s/o Mangalore Venkatesh Pai, Gowd Saraswath Brahman, Retd. Medical Officer, Madras.

10. Dr. Cholpady Rama Kamath, M. B. & C. M., s/o Cholpady Subraya Kamath, Retd. Medical Officer, Gowd Saraswath Brahman, Madras.

11. Sujir Pundalika Nayak, s/o Sujir Ramachandra Nayak, Gowd Saraswath Brahman, Merchant and Commission Agent, Bombay.

12. Kasturi Nagesh Pai, s/o Kasturi Subraya Pai, Gowd Saraswath Brahman, Merchant, Mangalore.

13. Vedamurthi Mangalore Gopala Bhat, s/o Vasudeva Bhat, Gowd Saraswath Brahman, Trustee, Sri Mahamayi Temple, Mangalore.

14 Dr. U. Sunder Ram Pai, M. B. B. S., s/o U. Sheshagiri Pai, Regd. Medical Practitioner, Gowd Saraswath Brahman, Udipi.

15. Dr. Thonse Madhava Pai, M. B. B. S., s/o T. Anantha Pai, Gowd Saraswath Brahman, Regd. Medical Practitioner, Udipi.

16. Nagar Vaman Rao, s/o C. H. Govindappa, Gowd Saraswath Brahman, Sowkar, Nagar. (Kadur Dist.)

17. Kochikar Padmanabha Pai, B.A., s/o Kochikar Subraya Pai, Gowd Saraswath Brahman, Managing Director, Kochikar Bros., Ltd., Udipi.

18. Bantwal Baba Kamath, s/o Krishna Kamath, Gowd Saraswath Brahman, Landlord, Bantwal.

5. We the several persons whose names and addresses are subscribed, are desirous of being formed into a Society in pursuance of this Memorandum of Association.

Names & Addresses	Signatures
1. Mangalore Ganesh Srinivasa Pai, s/o Sowcar Srinivas Pai, Gowd Saraswath Brahman, Merchant, Mangalore.	(Sd.) M. Ganesh Srinivas Pai
2. Mangalore Venkatesh Pai, Adopted son of Sowcar Ranga Pai, Banker and Landlord, Gowd Saraswath Brahman, Mangalore.	(Sd.) M. Venkatesh Pai.
3. Mangalore Gopala Bhat, s/o M. Vasudeva Bhat, Gowd Saraswath Brahman, Trustee, Sri Mahamayi Temple, Mangalore.	(Sd.) ಮ. ಗೋಪಾಲ ಭಟ್ಟ.
4. Pangal Sarvothuma Nayak, B. A., B. L., s/o P. Gopal Nayak, Gowd Saraswath Brahman, General Manager, Canara Bank, Ltd., Mangalore.	(Sd.) P. Sarvothum Nayak.
5. Ammembal Damodar Pai, B.A., B.L., s/o A. Vaman Pai, Gowd Saraswath Brahman, First Grade Pleader, Mangalore.	(Sd.) A. Damodar Pai.
6. Vaman Srinivasa Kudva, s/o M. Srinivasa Kudva, Gowd Saraswath Brahman, Managing Director, Canara Public Conveyance Co., Ltd., Mangalore.	(Sd.) V. S. Kudva.
7. Bantwal Vaikunta Baliga B.A., B. L., s/o Bantwal Lakshman Baliga, Gowd Saraswath Brahman, First Grade Pleader, Mangalore.	(Sd.) B. Vaikunta Baliga.
8. Mangalore Padmanabha Raghunatha Pai, adopted son of Sowcar Raghunath Pai, Gowd Saraswath Brahman, Merchant, Mangalore.	(Sd.) M. Padmanabha Raghunath Pai

Names & Addresses	Signatures
9. Basthi Ramaya Shenoi son of Keshav Shenoi, Gowd Saraswath Brahman, Merchant, Mangalore.	(Sd.) **B. Rama Shenoy.**
10. Kastoori Nagesh Pai, son of Subraya Pai, Gowd Saraswath Brahman, Merchant, Mangalore.	(Sd.) **K. Nagesh Pai.**

Witnesses for Nos. 1 to 10:

(1) *Sd.* M. Dasappa Kamath s/o M. Rukmayya Kamath, News Agent, Hampankatta Mangalore.

(2) *Sd.* P. Appraya Bhat, s/o Panemangalore Ramchandra Bhat, Accountant, Sri Venkatramana Temple, Mangalore.

MANGALORE,
Dated 19th August 1941.

Certificate of Registration of Societies

ACT XXI OF 1860.

No. 1 of 1941—1942.

I hereby Certify that the Gowd Saraswath Brahman Parishad, Mangalore has this day been Registered under the Societies' Registration Act of 1860.

Given under my hand at Mangalore this 21st day of August one thousand nine hundred and forty one.

Seal of the Asst. Registrar of Joint Stock Companies S. K.

(Sd.) **M. Ramappa,**
Assistant Registrar of Joint Stock Companies.

MEMORANDUM

OF

ASSOCIATION

AND

RULES AND REGULATIONS

OF

The Gowd Saraswath Brahman Parishad

SOUTH KANARA

Registered Under Act XXI of 1860.

S. P. W., Ltd., Mangalore.

MEMORANDUM

OF

ASSOCIATION

AND

RULES AND REGULATIONS

OF

The Gowd Saraswath Brahmin Temples Trustees' Association,

SOUTH KANARA DISTRICT.

Registered under Act XXI of 1860

Certificate of Registration of Societies

Act XXI of 1860.

S. No. 7 of 1943—1944.

I hereby certify that the Gowda Saraswath Brahmin Temples Trustees' Association, has this day been registered under the Societies' Registration Act, 1860 (XXI of 1860.)

Given under my hand at Mangalore this Thirteenth day of December one thousand nine hundred and forty-three.

Seal of the Assistant Registrar of Joint Stock Companies South Canara

(Sd.) K. Viswanathan,
Assistant Registrar of Joint Stock Companies.

Memorandum of Association

OF THE

GOWD SARASWATH BRAHMIN

Temples Trustees' Association,

South Kanara District.

1. The name of the Association is "The Gowd Saraswath Brahmin Temples Trustees' Association"

2. The Association is to be the connecting link between the different Gowd Saraswath Brahmin Temples in the District with the following objects:—

(1) To help, advise and co-operate with the different Gowd Saraswath Brahmin Temples in the District in the matter of the proper management of these public and sacred institutions. The Association will not interfere with the internal management of the Temples or with the constitution or rights of the Council of Trustees now functioning in the various Temples.

(2) To improve the financial condition of the above institutions by appealing to and inducing the Gowd Saraswath Brahmin members to take greater interest in their welfare.

(3) To co-operate with these institutions in the creation of a proper spiritual atmosphere within them.

(4) To co-operate with the temples in starting institutions calculated to improve the condition of the priests officiating therein.

(5) To advise and co-operate with the above temples in starting institutions for imparting secular and spiritual knowledge and a study of the Sanskrit language.

(6) To enlist the financial co-operation of the temples for the social and economic uplift of the Gowd Saraswath Brahmin Community.

(7) To do such other things as may be conducive to the above objects.

3. Names, addresses and occupations of the members of the Council to whom by the rules of the Association, the management of its affairs is entrusted are as follows:—

1. Rao Bahadur Dr M. Kesava Pai, O.B.E. M. D. "Woodside" Karnad Sadashiva Rao Road, Mangalore. (President)
2. Sri M. Padmanabha Raghunath Pai, Trustee, Sri Venkatramana Temple, Mangalore.
3. Sri U. Krishna Rao, Trustee, Sri Venkatramana Temple, Mulky.
4. Sri K. L. Kudva, B.A., B.L., Vakil and Trustee, Sri Venkatramana Temple, Karkal.
5. Sri B. Venkatesh Baliga, Trustee, Sri Tirumala Venkatramana Temple, Buntwal.

6. Sri M. Gopal Bhat, Trustee, Sri Mahamayi Temple, Mangalore.

7. Sri K. Devadas Shenoy, B.A., B L., Vakil and Trustee, Sri Venkatramana Temple, Kasaragod.

8. Sri K. Narasimha Kamath Vakil and Trustee, Sri Venkatramana Temple, Coondapoor.

9. Sri K. Venugopal Nayak, Representative, Sri Laxmi Venkatramana Temple, Uppinangady.

10. Sri G. Upendra Prabhu B.A.,B.L., Vakil & Representative, Sri Varadaraj Venkatramana Temple, Gurpur.

11. Sri M. Venkatesh Pai, Trustee, Sri Venkatramana Temple, Mangalore (Ex-Officio Honorary Treasurer & Secretary.)

4. We the several persons whose names and addresses are subscribed herebelow are desirous of being formed into an association in pursuance of this Memorandum under the Societies Registration Act 1860 (XXI of 1860).

NAMES AND ADDRESSES	SIGNATURES	WITNESSES
1. Rao Bahadur Dr. M. Kesava Pai, O. B. E., M. D., "Woodside", Karnad Sadashiva Rao Road, Mangalore —(President).	Sd/ M. Kesava Pai 10—11—1943.	1. Sd/ M. Baburaya Prabhu Manager, Sri Venkatramana Temple, Mangalore. 2 Sd/G. S. Nagarkar, Advocate, Mangalore.
2. Sri M. Padmanabha Raghunath Pai, Trustee, Sri Venkatramana Temple, Mangalore.	Sd/ M. Padmanabha Raghunath Pai 10—11—1943.	
3. Sri U. Krishna Rao, Trustee, Sri Venkatramana Temple, Mulky.	Sd/ U. Krishna Rao 15—11—1943.	1. Sd/ U. Krishnaraya Shenoi, S/o U Vittappa Shenoi, Mulki. 2. Sd/ M. L Kamath, S/o M Achanna Kamath, Mundkur.
4. Sri K. L. Kudva, B. A., B. L., Vakil & Trustee Sri Venkatramana Temple, Karkal.	Sd/ K L Kudva 14—11—1943.	1. Sd/ B. Mangesha Rao Vakil, Puttur. 2. Sd/ K. Venkatesha Nayak Manager, S. K. Agrl, Co-op. Society, Puttur.

NAMES AND ADDRESSES	SIGNATURES	WITNESSES
5. Sri B. Venkatesh Baliga, Trustee, Sri Tirumala Venkatramana Temple, Buntwal.	Sd/ B. V. aliga 16—11—1943	1. Sd/ M. Narayana Shenai, Merchant, Bantwal. 2. Sd/ B. M. Shenoy, Clerk Combined Booking Agency, Bantwal.
6. Sri M. Gopal Bhat, Trustee, Sri Mahamayi Temple, Mangalore.	(ಸಹಿ) ಮು. ಗೋಪಾಲ ಭಟ್ 10—11—1943.	1. Sd/ M. Baburaya Prabhu Manager, Sri Venkatramana Temple, Mangalore 2. Sd/ M. Dasappa Kamath News Agent, Mangalore.
7. Sri K. Devadas Shenoy, B A., B. L., Vakil & Trustee, Sri Venkatramana Temple Kasaragod.	Sd/ K. Devadas Shenai 16—11—1943.	1. Sd/ K. Subraya Kamath S/o Srinivasa Kamath Merchant, Kasaragod. 2 Sd/ Basti Narasimha Shenoy S/o B. Manjunath Shenoy Merchant, Kasaragod.
8. Sri K. Narasimha Kamath, Vakil & Trustee, Sri Venkatramana Temple, Coondapoor.	Sd/ K. Narasimha Kamath 15—11—1943.	1. Sd/ K. Moodalagiri Nayak S/o Narayana Nayak, Coondapoor. 2. Sd/ M Gopalkrishna Kamath S/o M. Narayana Kamath, Coondapoor.

NAMES AND ADDRESSES	SIGNATURES	WITNESSES
9. Sri K. Venugopal Nayak, Representative, Sri Laxmi Venkatramana Temple, Uppinangady.	Sd/ K. Venugopal Nayak 11—11—1943.	
10 Sri G. Upendra Prabhu, B. A, B. L., Vakil & Representative, Sri Varadaraj Venkatramana Temple, Gurpur.	Sd/ G. Upendra Prabhu 16—11—1943.	1. Sd/ M. Baburaya Prabhu Manager, Sri Venkatramana Temple, Mangalore 2. Sd/ G. S. Nagarkar Advocate, Mangalore
11. Sri M. Venkatesh Pai, Trustee, Sri Venkatramana Temple, Mangalore. (Ex-Officio Honorary Treasurer & Secretary).	Sd/ M. Venkatesh Pai 11—11—1943.	

Rules and Regulations

OF THE

Gowd Saraswath Brahmin Temples Trustees' Association

of the South Kanara District.

1. PATRONS: The senior Mutadhipathies of the Sri Kaivalya, Kashi and Gokarn Mutts Samsthanams shall be the patrons of the Association.

2. All signatories to the Memorandum, the Trustees of all Gowd Saraswath Brahmin Temples, and all the members of the Council of Management now formed or to be nominated or elected hereafter shall be members of the Association.

3. The Council of Management of the Association shall consist of not less than eleven members as described below:—

The five major temples in the district viz, Manjeshwar, Mangalore, Mulki, Buntwal and Karkal shall be represented in the Council of Management by one nominee from each Temple to be nominated or elected by the Trustees of these Temples. The Temple of Manjeshwar is to be represented by the Executive

Officer. The remaining temples shall elect the other five members in accordance with the rules of election to be framed by the Council. No other than a member of the Community shall be entitled to be on the Council of Management.

4. The first Council shall be nominated by H. H. the Swamier of Kashi Mutt and shall hold office for a period of five years.

5. The temples which are paying their contributions to the HinduReligiousEndowment Board shall contribute annually to the funds of the Association a sum not less than 1/3 of such conribution to the Board in the case of non-excepted temples, and 2/3 of the contribution in the case of excepted temples. Temples not making any contribution to the Hindu Religious Endowment Board shall contribute 1% of their total gross income to the funds of the Association.

6. The general body of the members of the Association shall meet at least once a year or oftener whenever convened by the Council or on the requisition of 1/3 of the members of the Association. The time and place of each meeting shall be decided by the Council who shall also decide the business to be transacted at such general body meetings. Five members shall form the quorum for a meeting of the general body. One of the Patrons of the Association shall preside over the meeting of the General Body whenever he is present at such meetings. In his absence the President of the Council shall preside and in his absence the General Body shall choose one of its members to preside.

7. In the case of a General Body Meeting not taking place on the date and hour fixed for want of a quorum the said meeting shall stand adjourned to the same day and hour of the next week and at the same place with members that may be present at such adjourned meeting.

8. The members of the Council shall hold office for five years.

9. The office of the Association shall be in the Sri Venkatramana Temple, Mangalore.

10. The Council shall elect one amongst themselves as a Vice President. One of the Trustees of the Mangalore Sri Venkatramana Temple shall be the ex-officio Honorary Treasurer and Secretary of the Association who shall be nominated by the Council not being a nominee as provided in rule No 3 above. The Council shall be in charge of the monies and properties of the Association to be utilised for the objects set forth in the Memorandum.

11. The Council shall meet in Mangalore or in any other place in the district to be decided by the President at least once in three months and shall record their proceedings in a separate book. For the speedy transaction of business the opinion of the members of the Council can be ascertained by the President through circulation of papers to the members stating therein clearly the points on which opinion is solicited and such opinion shall be recorded by the members in writing. On the receipt of such opinion the President may act on the decision of the majority. The notice

of Council Meetings shall be sent to the respective members at least a week prior to the meeting specifying the time and place of the meeting and also the Agenda.

12. Failure to attend three consecutive meetings of the Council without sufficient and valid reasons satisfactory in the opinion of the Council shall entail forfeiture of membership of the Council and the constituency that nominated the members shall be approached to have the vacancy filled up within a month of such forfeiture.

13. The quorum at the meetings of the Council shall be three and the opinion of the majority shall prevail on all points discussed with a casting vote for the President.

14. The Council shall keep proper and regular accounts and get them audited annually through a certified auditor. It should submit report to the patrons and to the General Body at its annual meeting regarding the Audit and work done by the Council during the year under report.

15. The official year of the Council shall be Fasliwar.

16. The Council will have power to appoint and define the duties of all subordinates under them. They shall have also power to fine. suspend and dismiss all persons so appointed by them for proper reasons to be recorded in writing.

17. The Council shall sue and be sued in the name of the President.

18 The monies belonging to the Association shall be deposited in a recognised bank by the Treasurer who shall have authority to operate upon such monies through cheques. No extraordinary expenditure other than routine expenditure shall be incurred by the Treasurer without the specific sanction of the Council.

19. The rules framed above may be added to, deleted or modified by the General Body.

20. We, the following three members of the Council do hereby certify that the above copy of the rules and regulations of the Association is correct.

NAMES & ADDRESSES	SIGNATURES
1. Rao Bahadur Dr. M. Keshava Pai, O.B.E., M.D., "Woodside". Karnad Sadashiva Rao Road, Mangalore. (President)	Sd. M. Kesava Pai
2. Sri M. Padmanabha Raghunath Pai, Trustee, Sri Venkatramana Temple, Mangalore.	Sd. M. Padmanabha Raghunath Pai
3. Sri M. Venkatesh Pai, Trustee, Sri Venkatramana Temple, Mangalore. (Ex-Officio Honorary Treasurer & Secretary)	Sd. M. Venkatesh Pai

Witnesses to the above Signatures:—

1. (SD.) Anantha Bhat M. B., Teacher, C. H. School, Mangalore.

2. (SD.) M. Baburaya Prabhu, Manager, Sri Venkatramana Temple, Mangalore

Extn Depn (F)

96

Hindu Religious Endowments - South Kanara District - Exa

Saraswath Brahmin Temple Trustees' Association - Repres

tions. Orders passed.

From the Pl. Gowd Saraswath Brahmin Temple Trustees' A
Mangalore, 8 26.10.44

" Pl. HRE Board No 59492 Adm-44-1 8 3.11.44.

Memorandum of the Gowd S. B. T. T. Assn. 8 10.11.44

~~From Sri Ananthe Bhakta, Mangeshwar 8 15.11.44.~~

" the Pl. HRE. Board, No 59492 Adm. 44/6 8 8.1.45.

~~Sri Ananthe Bhakta, Mangeshwar 8 29.1.45.~~

" Pl. Gr. S. B. T. T. Assn., Mangalore. 8 2.2.45

" Pl. HRE Board. No 59492/44. 15 Adm. 8 10.4.45.

Order/Rs. 1295 Pl. 8. 19. 5. 45

Government have carefully considered the representati
S. Kanara
made by the Gowd Saraswath Brahmin Temple Trustees
Association, Mangalore. They are unable to accept the
contention that the Sri Ananthe Swar Temple at Mang
Swar is owned by the Gowd Saraswath Brahma
community and that this community is entitled to
any rights or claims over the properties or fu
funds of this Temple. As regards the similar
contention made by the Association in respect of
named in Appendix I to the reference from the Asst.
this other two temples ~~in question~~, ~~the Association~~
has so far produced no evidence in support of th
and that
claims. The case of each individual temple
will have to be considered on its own merits.
The Govt consider that
2. Any claim which the Association or the Comm
unity may seek to exercise over any individ
Temple can be recognised only after such clai
has been
accepted by the Hindu Religious Endowment
Board under provisions made in the Hindu Religi
Endowments Act or by a competent court of law.

3

3. The Government and the Hindu Religious Endowments Board will avail themselves of and give due weight to the views of the accredited representatives of the community, whenever they are placed before them.

4. As regards the request of the Association for the establishment of a Vedanta Patasala or any other matters connected with the administration of these temples or the utilisation of their funds, the first consideration that the Association should address the Hindu Religious Endowments Board which has jurisdiction over the temples under the Hindu Religious Endowments Act.

~~5. As regards the allegations against the Executive Officer and Manager of the Sri Anatheswar temple at Manjeshwar, the H.R.E. Board is requested to take such action as he considers necessary.~~

MM 12.5.45

16/5/45

D/o Dispd K.M 18-5-45

The Pt. HR&E Board
Vu Pt. Gowd Saraswath Brahmin Temple Mgmt Assn., Mangalore
(for his info only)
~~Sri M. Ananthan Bhatt, Landlord, Manjeshwar~~
& Manager Dt.

17/5

II

Mem: No 51704 F-13 P.H. dt 17/5/45

Allegation against the Exo Manager of the Manjeswar temple. Reply called for Sri M. Ananthan Bhatta dt 15-11-44 dt. 29-1-45

19 cy
29 cy

The file is sent herewith for disposal.

16/5/45

Dispd K.M 18-5-45

The Pet.
19 cy

F1 4

K. SADASHIVA RAO, M.L.,
ADVOCATE.
-:-

MANGALORE,
Dated 6th January, 1947.

To

1. The President,
Hindu Religious Endowment Board,
M a d r a s.

2. The Secretary,
Education and Public Health Department,
Government of Madras, Fort St. George,
M a d r a s.

Sirs,

Under instructions from Rao Sahib B. Ananda Baliga, Retired Deputy Collector, Falnir, Mangalore, South - Kanara District, I send the following notice:-

2 That my client is a member of the Gowd Saraswat Brahmin Community. The said community is of Gowd - division of Brahmins and forms a fair percentage of the Hindu population of South Kanara District. Ever since the community migrated into South Kanara District it has, on account of its distinctiveness from the Dravidian Brahmins and other Hindus of the locality, founded and established temples and places of religious worship of its own in several towns and villages of the District, and has been maintaining them. No member of any other community has ever been associated in the management of the said institutions or in the conduct of the poojas or viniyogas therein or in the partaking of the benefits of the Samaradhanas or - Santarpanas thereof. The said temples have been all along under the exclusive control and management of the members of the Gowd Sarswat Brahmin Community. Under these circumstances by virtue of (1) the founding of the said temples, and (2) the exercise and control of the management of the said temples, through their -

own trustees and by employing their own priests and - archakas for poojas and by restriction of the enjoyment of the samaradhanas and santarpanas to members of their community exclusively for long over the statutory - - period, the said community has the right to continue to be in exclusive control and management thereof and also enjoy the special privileges attached to the said - - temples.

3 My client understands that recently the Hindu Religious Endowment Board, Madras, has made a declaration - that the Srimat Anantheshwar Temple, Manjeshwar, which is one of the principal temples belonging to the Community, is not one of the temples owned by the Gowd Saraswat -- Brahmin Community. The matter was taken up to the Government of Madras on behalf of the Community by the Gowd - Saraswat Brahmin Temple Trustees Association, Mangalore, but the Government without a proper enquiry and consideration of the circumstances of the case and the - course of conduct adopted during the past, within living memory, has passed G. O. Ms. No. 1295- P. H. dated 17th May 1945 upholding the order of the Hindu Religious Endowment Board, Madras, and turning down the contentions of the Gowd Saraswat Brahmin Community that it has got - - exclusive right of control and management over the said temple to the exclusion of the members of all other - - communities.

b96c 1 (X)

4 My client contends that the aforesaid action of the Hindu Religious Endowment Board, Madras and the Local - Provincial Government is unjust and unsustainable and - more especially so when no member of any other community

had ever laid any claim or asserted any right to the management or the performance of poojas or the sharing of the benefits of the said temple at any time. My client, who is a member of the said Community, justly feels aggrieved by the said action of the Board and the Government and hereby gives notice both to the Board and to the Government that unless they reconsider the said matter and their attitude towards the Srimat Ananteshwar Temple, Manjeshwar and make a declaration that the said temple exclusively belongs to and is owned by the Gowd Saraswat Brahmin Community, he on behalf of his Community, will be constrained to take the matter to a court of law seeking necessary declaration and to such a suit he will have to make both the Provincial Government and the Hindu Religious Endowment Board, Madras parties. The Government and the Hindu Religious Endowment Board, Madras, are therefore requested to treat this notice as the necessary statutory notice under Section 80 C. P. C.

Yours faithfully,

SECRETARY TO THE BOARD OF COMMISSIONERS FOR HINDU RELIGIOUS ENDOWMENTS
C. P. 5393
20 JAN. 1947

E

E & R. B(F1)

Endt. 1356 F1-1/47 E & R.C. dt. 17-1-47.

Referred to the President, Hindu Religious Endowments Board for remarks.

To The President,
H. R. C. Board.

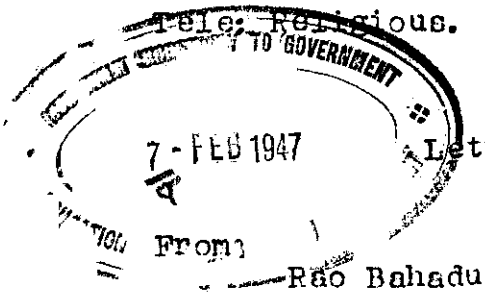
(By order)

Assistant Secretary to G

19/1/47.

Office of the Board of Commissioners
for Hindu Religious Endowments,
Madras.6.

Tele: Religious.



Letter No.2235/47-1 Adm. dated 6-2-47.

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From

Rao Bahadur Sri T.M.Chinnaiya Pillai, M.A., B.L.,
President, Hindu Religious Endowments Board,
Cathedral Post, Madras.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

10360

Sir,

Sub: Hindu Religious Endowments - South Kanara Dt. - Kasaragode taluk - Manjeshwar - Srinad Anantheswar temple - Notice from K.Sadasiva Rao - Advocate, Mangalore, Claiming that Gowda Saraswath Brahmin Community has exclusive right and ownership of the temple - Board's remarks.

Ref: Endorsement No.1356-F1-1-47 E & R.E. dated 17-1-1947 from the Government of Madras.

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In retransmitting herewith the Government Endorsement referred to above, I have the honour to invite the attention of the Government to my Letters No.59492-44-15-Adm. dated 3-11-44 and No.59492-44-15 Adm. dated 10-4-1945 and the orders of Government issued in G.O.Ms.No.1295 P.H. dated 17-5-1945 and to state that the Board has nothing further to add to what has already been stated in the said two letters. Kind attention is invited to paragraphs 7 and 11 of the second of my letters referred to above. The temple of Srinad Anantheswar at Manjeshwar is admittedly a public temple used as of right by the public as a place of public religious worship. It is not a private temple as would seem to be suggested in the notice where it is claimed that the temple is "owned" by the Gowda Saraswath Brahmin Community.

No suit can, in my opinion, be maintained either against the Government or the Board in this matter. The notice is a frivolous one and the threatened suit may, therefore, be awaited.

I have the honour to be
Sir,
Your most obedient servant,

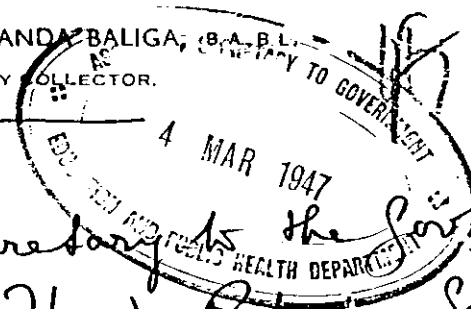
President.

Encl: 1.
ks.6.2.

6/2

Address: 104
STURROCK ROAD,
MANGALORE,
1. 3. 1947.

Rao Sahib B. ANANDA BALIGA, B.A., B.L.
Retired DEPUTY COLLECTOR.



To
The Secretary to the Govt. of Madras,
Hindu Religious Endowments Deptt.
Fort St. George, Madras.

Sir 17724

Subject notice – Srimat Anantheshwar Temple, Manjeshwar, S. Kanara Dt – Request for declaration of ownership by Lg. S. Brahmin Community – local enquiry requested –

On 6.1.1947 I had sent a suit notice to Govt as well as to the President of the Hindu Religious Endowment Board, Madras, through my lawyer, asking for a declaration that the Srimat Anantheshwar Temple, Manjeshwar, S. Kanara Dt, exclusively belongs to and is owned by the Lg. S. Brahmin Community. But I regret to state that no enquiry appears to have been held in the matter so far, either through the local Officers of Govt or any Committee of the Dt M.L.As, who are expected to

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to know the truth of the allegations made and the facts of the case as also the past history of this Temple as well as of 40 others similarly owned by the Gs. S. Brahmin Community in the Dk. If adverse final orders are passed by the present people's Govt without any enquiry, it is sure to lead to the filing of 41 suits in the local Civil Courts on behalf of the Community against Govt involving much unnecessary waste of money and labour to all concerned. I therefore request that a local enquiry may be ordered to be held in the matter of the suit notice before final disposal.

Your obedient Servant,

(Rao Sahib)
Retd. Dy. Collector,
1 Sturrock Road, Mangalore.

Sec. H(FT)

The main file was then circulated to H.M. (HRP.G) on 1/3/47

M Cuj to be added with the main file after its return from circulation.

RG 1/3/47

51. H.R.E. S. Kanara Dt. Gowd Saraswath Brahmin temples. Representation from the Trustees' Assn.

From the Pl. S.K. Gowd Saraswath Brahman Temples Trustees' Assn. dt. 26.10.66.

Memo. & letter No. 51704 F/66-1 [illegible] dt. 30.10.66

From the Pl. H.R.E. Board, No. 59492-Adm. 66-183.11.66

The Pl. of the above Association has made certain representations to Govt. re: the administration of 41 temples in the S. Kanara Dt. The representations are referred to as items (1) to (6) in para 2 of the Pl's. letter dt. 10.6.66. Of these items (1), (2) & (6) do not call for any remarks; the other items are dealt with below.

2. Some aspects do not appear to have presented themselves to the Board in their clear perspective or from the view point which the Assn. keeps to place before Govt.

The Pl. H.R.E. Board states that it is not clear what is meant by this. The Assn. may be asked to communicate its views points in detail to the Board for consideration.

There have been doubts in the minds of the Comm'r, H.R.E. Board that these temples belong entirely to one section of the Gowd Saraswath Brahmins and that their management has come to be vested in the hands of this section for good generations without being disputed by any. The Pl. states that the Board has erred in coming straightaway to the view that all the temples in [redacted] belong exclusively to the Gowd Saraswath Community. Before the H.R.E. Act came into force, it seems that there were many temple committees in the Dt. on communal basis, including Gowd Saraswath and Konkani communities and that some of the temples referred to were not under the Gowd Saraswath. One of these temples, Srimad Anantheswar temple, appears to have been in existence even before the migration of the Gowd Saraswaths to S. Kanara. The claim that the temples belong exclusively to Gowd Saraswaths and that their funds should be spent exclusively for their benefit, cannot be admitted.

4. From the rules of the Assn. it is observed that the Executive Officer, Srimad Anantheswar temple is to be a member

members of the Assn. are paid. See ¶ 6 on p. 10 - 11 of the Pt.
difficulties that
has pointed out. They may advise that permission is accorded
for the membership of the Govt Officers. They may be pointed
out to the Assn. and it may be told that the Govt. Officers
will not be permitted to become a member.

As the reference to the formal request of the Assn. in
para 8 of the Sept. 3rd letter of the Assn may be taken as the
application of the Assn. to be registered, we should be glad to have
their advice at the earliest moment as to the action we should take
whenever they are placed before them or as and when deemed necessary

6. The Assn. requests permission for an interview
with the Advisers to place before them representations
which it has been informed that the Advisers will receive
the members at Bangalore at a time to be fixed later.

The time & place for the deputation may be intimated

: The file may be circulated to Mr.

Mm 3-11-44

A perusal of the Rules & Regns. of this Association shows
that what they are based upon is not Hindus are
two Temples which may be called Adwaita Saivaites Brahmin
two Temples in accordance with the position maintained by them
based at the Feb. and Sept and further pending upon
an Act of the Legislature. The Board is not prepared
to accept this position straightaway in view of the
by the Pt. in paras 8, 9 & 10 of his report at pp 11, 12 of
I think that we must support the Board and tell the
Assn. either rather controversial issue and put the onus
on the Assn to produce conclusive proof of their stand
taken by it. Until this is done, the Govt of the Board can
recognise this Assn or accept its aims only in so far
as such recognition or acceptance will not be inconsistent with
or repugnant to the provisions of the HRE Act; and
the position taken by the Pt. at A' on page 9 ante.

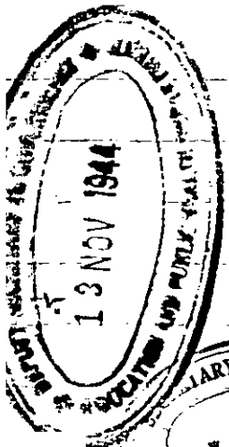
4/11/44

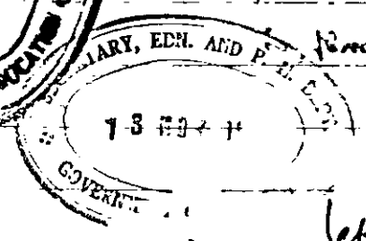
10/XI

Reported 8n 4/11/44

10 am.
H Jackson

A2





Discussed with Advocate ... Asst ... of the Chemicals Industry ... soon as Government ... fully ... Shri ... report ... for ... Mr. ... letter ... A draft Do and ... letter are submtd. for approval. The Do may issue on 14.11.44

19.11.44

Issued

15-16 cf

From Sri N. Ananthia Bhakta dt 15.11.44

With reference to A' in the Adviser's minute on p. 17 cf. a draft Do letter is submtd. for approval

18.11.44

Issued

19 cf

Do. No 51709 F/44-5 PH. 8 21.11.44.

From the Pl. HRE Board, No 59492 Adm. 44/63 dt 8.1.45.

The Pl's letter on pp 22-23 cf. is submtd. for perusal. His final remarks may be awaited till 16.2.45. The copy of the memorandum and rules may be furnished to the Pl. as desired by him in the last para on p. 23 cf. A draft on is submitted for approval on p. 23 cf.

11.1.45

Issued

p. 23 cf

Memo No 51704 F/44-7 PH. 8 12.1.45

p. 24 cf

From Sri N. Ananthia Bhakta, Manjeshwar dt 29.1.45

p. 40 cf

pp 44-46

End. No 51702 F/44-8 PH. 8 3.2.45.

From the Gowd Saraswath Brahmin Temple Trustees Association

pp 48-53 cf

From the Pl. HRE Board, dt 2.45 No 59492/44-15 Adm dt 20.4.45:

In October last, the Pl., South Kanara Gowd Saraswat

pp 1-4 cf

Brahmin Temple Trustees' Assn., submitted a memorial stating that (1) that the 61 temples referred to on pp. 5-6a cf. belong entirely

entirely to the G.S.B. Saraswath Brahmins (2) that their management has always been in the hands of that community (3) that it would be a grave injustice to the community to be deprived of their vested rights without any need or occasion and that (4) the Assn. may be allowed to co-operate with the H.R.E. Board in all matters relating to these temples. The President's remarks were obtained on these points and they were examined on pp. 1-2 ante. Subsequently, on 10.11.44, the Assn. presented a memorandum to the Adviser at Bangalore and this was referred to the Pl. Gen. Sri Ananda Baktha, a land lord and a G.S.B. Brahmin, represented that the whole question raised by the Assn. may be shelved for the duration of the war and further suggested that the Executive Officer and manager of the temple at Manjeshwar may be removed from office for openly siding with and helping the Association and adopting questionable tactics for the purpose of the enquiry.

With reference to the memorandum of the Assn. the H.R.E. Board issued a questionnaire to the Assn. for further information and after a scrutiny of the information thus received, he has offered his remarks on the memorandum. He states that the evidence produced by the Assn. is not sufficient to support the contention of the Assn. that the temples in question belong exclusively to the G.S.B. community. The Pt. and that the properties of these temples were acquired by the community as such for the benefit of the temples. The Pt. of the Assn. admits that he cannot furnish more information and that he can only furnish only such information as he could collect by general enquiries among the public and the members of the Assn. In the absence of proof, the Board and the civil court will have to be moved by a petition or by a suit in respect of each individual temple under the appropriate provisions of Sections 14 and a decision reached after enquiring all the parties interested in the temple.

3. As regards the claim of the Assn. over the Manjeshwar temple the Pt. of the Board which is one of the points raised in the memorandum, has already been considered [illegible]

pp 7 of pt 1, 2

pp 14-17 of

p 15 of

pp 19-25, 27-31 of

pp 14-17 of

pp 27-28 of

pp 48-52

pt 2 at 7, p 49 of

p 52 of

pt 2 at 7, p 49 of

and refuted - vide p. 11 cf. and 'A' on p. 1 ante. The present Pt. 'X' on p 50 cf — States that the properties of this temple are all registered in the name of the deity of the temple and that a fairly influential section of the Hindu public in Manjeswar resist the claim of the Gowd Saraswaths to have exclusive control over the temple. A suit filed by two representatives of the Community, 'Y' on p 51 cf. Claiming ownership of the temple, was withdrawn by them & dismissed. The Pt. observes that having failed the community seeks to obtain from Govt. what it failed to get from Court in a civil court.

para 11, p 51 cf — 4. The Pt. H.R.E. Board also doubts whether the Assn. can be considered as representative of the community since, out of 41 temples claimed by the community, only 29 have agreed to become members of the Assn. and 15 alone have been able to contribute to the Assn. Four memorials have also been p 66-67 cf. received by the Pt. H.R.E. Board, from the Gowd Saraswath Brahmin residents of Uppala, Kumbla, Kasaragod & Manjeshwar casting doubt on the representative character of the Assn.

5. On para 12 on p. 51 cf. the Pt. has pointed out that the statement about the Board following a retrograde policy in the matter of utilisation of surplus funds of the temples, is incorrect and unfounded.

para 2, pp 15-16 cf

para 3, p 16 cf. — 6. As regards the request for the establishment of a Vedanthe Pathasala, the Assn. may be advised to move the Board by appropriate proceedings under the Act.

p 30 cf — 7. As regards the allegations of Sri Ananda Bhakta against the Executive Officer and Manager of the temple at Manjeswar, attention is drawn to the various petitions disposed of in the (P) W.P. 3235/F/44-6 P.H.B. 12/1946 The Pt. States that the Board will take

para 17, pp 52-53 cf. — such action in the matter as may be deemed necessary. after a scrutiny of A.C. report when received. ~~For orders as to~~ ~~may perhaps be informed of this.~~

The file may be circulated to Sri with reference to his minute on p. 3 ante. For orders as to whether the Govt. will intervene in the matter.

mm
28.4.65

JD
21.4.65

23

In this report on f 48-52 of the Resident has dealt very fully with the claims made by this Association. The Association wants Govt to concede the point that the 41 Maasgaon Temples mentioned at f 5, 5a of belong exclusively to the community alleged to be represented by this Assn, viz the Gowd Saraswath Brahmins and that, as a result of this, (a) the Board should pay more attention, than hitherto, to the advice tendered by the Assn as regards the management of the Temples & the utilization of their surplus funds and generally recognise the Assn as an authority competent to interfere in the management etc of the Temples and (b) the Gowd Saraswath Brahman Community should be allowed to benefit from the surplus funds of the Temples for its religious, educational and social amelioration.

Please see the questionnaire issued by the Pl. HRE Bd at f 27, 28. The questions have been so framed as to elicit all possible information and proof as regards the claims made by the Assn. The answers to these questions given by the Pt of the Assn, Dr Keraun Rai, are at f 54-57. These answers are most disappointing and indicate clearly that the Assn has no material whatever to produce in support of their contentions. As regards the Anantheswar Temple at Manjeshwar, there is fairly conclusive evidence against the Assn's claim (Vide paras 8 to 10 on f 50, 51 of and the Assn Comm's answers to the questionnaire at f 58, 60 of & para 6 of the previous Pl's report on f 11 of). This is a notified temple - in spite of all these facts, the Assn wants to take over the management of this temple, & all temples, from the Bd!

The representative character of this Association is also a matter of grave doubt. (Vide para 11 of the Pl's report at f 51 of). Whether an Assn of this kind should have any authority to pass a rule [illegible] and such other Rules, providing for a contribution from the funds of these temples to be decided by the Board and whether any particular temple should make this contribution and become

from its funds are matters for the Pt. and the Bd to look into. This perhaps because of the doubtful authority behind this rule that only 29 temples have agreed to become members of the association and only 15 have paid contribution. The Pt and the Bd. have so far not taken up this small matter and so it need not perhaps interfere.

A reply has to be given to the Ass^{n}. Govt may accept the opinion of two Presidents of the HRE Bd. and give a reply to the Pt. of the Ass^{n} on the foll. lines:-

(1) Govt are unable to accept the Ass^{n}'s contention that the Sri Ananteshwar Temple at Manjeshwar is owned by the Gowd Saraswath Brahman Community and that this Community is entitled to any rights or claims over the properties or the funds of this temple. As regards the similar contention made by the Ass^{n} in respect of the other 40 temples in question, the Ass^{n} has so far produced no evidence in support of their claims. The case of each individual temple will have to be considered on its own merits.

(2) Any claim which the Association or the Community seeks to prefer over any individual temple can be recognized only after such claim is accepted by the HRE Bd under provisions made in the Act or by a competent Court of law.

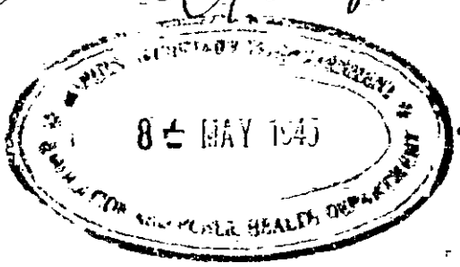
(3) The Govt and the HREBd. will avail themselves of and give due weight to and respect to, the views of the accredited representatives of the Community, whenever they are placed before them.

(4) As regards the request for the establishment of a Vedanta Pathasala or any other matters connected with the administration of their temples or the utilisation of their funds, the Ass^{n} should address

the HRE Bd which ~~was~~ has jurisdiction over the Temples under the HRE Act.

As regards the allegations made against the Ex Officer & Manager of the Mangeshwar Temple the Pt of the HRE Bd. is taking action ~~and~~ first would He may be left to deal with them.

Legal may perhaps see before circulation.



26/5/45

Legal

O
2538
28-4-45
Govt Home
51704 F/44 dtd
28.4.45.

Legal Dept

Seen in Legal

4/5/45

20991

Legal No 2538-1 Put up Please D.S. with the 1-6 ants.
May be circulated to A2.

4/5/45

mm
5.5.45

JD
5/5/45

For orders whether a reply may go as at A or 7 ante.

6/5/45

I agree with D/S. A2

3/5/45

as a draft memo are
A draft order is submitted for approval.

mm
12.5.45

JP
15/5/45

12 or 15) 15/5

16/5/45

p1c ∫

no. 135/47
p3 ∫
p4 ∫

From Sri K. Sadasiva Rao, Advocate, Mangalore, petition dt. 6-1-47.
Issued as Govt no. 1356 F1-1/47 G HR.E.dt. 17-1-47.
From the Pr. H.R.E. Bd no. 2235/47-1 dt. 6-2-47.

H.R.E. - Srimad Ananthesvar Temple, Manjeshwar, Kasaragod Taluk, S. Kanara dt. - Ownership of the Temple - dispute -

p5 ∫

Sri K. Sadasiva Rao, Advocate, Mangalore has sent a notice and the H.R.E. Bd
~~submitted a petition~~ to Govt on behalf of Rao Sahib B. Anandaa Baliga, Retired Deputy Collector,

p3 ¶6 ∫ (X) Mangalore, to reconsider the Orders issued in G.O. 1295 P.H. dt. 17-5-45 wherein the Govt turned down the contentions of the Gowd Saraswat Brahmin community that the Community has a exclusive right of control and management over the Srimad Ananthesvar Temple, Manjeshwar to the exclusion of the members of all other Communities. The advocate says

para ∫ p2c ∫ that the action of the H.R.E. Board and the Govt. is unjust and unsustainable and therefore Govt. that unless they reconsider the matter and make a

p3c ∫ declaration that the temple exclusively belongs to and is owned by the Gowd Saraswat Brahmin Community, ~~the~~ his client will be constrained to take the matter to a Court of law, on behalf of his Community, for necessary declaration naming both the Govt. and the Board parties to the suit. He requests that his ~~petition~~ Communication may be treated as the necessary statutory notice under section 80 C.P.C.

p5c ∫

2 The President, H.R.E. Board, invites the attention of the Govt. to

p9c ∫ (X) the Boards previous letters no. 59492/44-1 dt. 3-11-44 and 59494/44-1 dt.

p4 8c ∫ (X) 10-4-45 and states that the temple is admittedly a Public temple used as of

p5c ∫ right by the Public as a place of public religious worship and is not a private temple as claimed by the Gowda Saraswath Brahmin Community.

pp4 9-51c ∫ (X) Attention is invited to ~~the~~ paras 7 to 11 of the President's letter dt. 10-4-45

(X) at pp4 ~~9~~ and 5 1c ∫. and the notes at pp 6-8 n. ∫ of G.O. 1295 P. 17 dt. 17-5-45. It will be observed that ~~Govt~~ the representations made by the S. Kanara Gowda Saraswath Brahmin Temples Trustees Association claiming that the temple in question belongs to the Community, were carefully considered by Govt. and only after a detailed enquiry the Association was

p9bc ∫ (X) informed that Govt. were unable to accept the contention of the Association that temple in question was owned by the Community. The Pr. reports that no

p5c ∫ suit can be maintained either against the Govt. or the Board in the matter and the notice given by the petitioner is a frivolous one and the

unattested suit may be admitted.

Under the circumstances no [illegible] need be given to the petitioners according to Rule 2 of Order V C.P.C. as the suit may be dismissed in limine.

H.M. (H.R.I.) may see.

28.2.47

28.2.47

H.M. (H.R.I.)

The papers may be filed with G.O. 1295 P.H. dt. 17-5-45.

6.3.47

6.3.47

SECRETARY, LEGL. AFFS. P. H. DEPT.
5 - MAR 1947
GOVERNMENT OF MADRAS